

THE
CALCUTTA REVIEW.

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No man who hath tasted learning but will confess the many ways of profiting by those who, not contented with stale receipts, are able to manage and set forth new positions to the world: and, were they but as the dust and cinders of our feet, so long as in that notion they may yet serve to polish and brighten the armoury of truth, even for that respect they were not utterly to be cast away.—MILTON.

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CALCUTTA REVIEW.

No. CLXIV.

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THE CALCUTTA REVIEW.

NO. CLXIV.

ART. I.—MOFUSSIL MUNICIPALITIES IN LOWER BENGAL.

THE Report of the Sanitary Commissioner for Bengal for 1882, the latest to my hand under the heading "Abstracts of inspections," contains the following remarks on the first municipality visited: "Very grave sanitary defects were found to exist in this municipality, of which the chief are the following: "The town is badly kept, being overgrown with jungle, and full of pits containing foul water, in which bamboos are steeped. "The drainage is very defective, the roadside drains being often unconnected, and ending in pits, which being undrained, allow the water to soak in and evaporate . . . the streets unswept . . . not a single public latrine . . . reserved tanks and wells not properly looked after, the banks of the former being resorted to for defæcation . . . water used for drinking was in a frightful condition, corpses thrown in at the fishing weir just above the town," &c., &c.

In other inspection abstracts of that and the preceding year we meet with such expressions about some of the largest towns in Bengal as: "This town was found to be in a filthy condition;" "conservancy arrangements continue to be very defective;" "drainage defective, and conservancy arrangements very bad;" "many insanitary conditions obtain in this town;" "conservancy arrangements as bad as bad can be;" and so on. The smaller towns are not often visited, but when they are, their insanitary conditions are shewn up in the same unmeasured, and, as every one knows, truthful terms. The Sanitary Commissioner makes his rounds year after year, and the same remarks on the same places have to be recorded. The municipalities are very conservative, and very seldom can the inspecting officer detect any action taken on his remarks.

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Under the heading of "Official Sanitation" the *Reis & Raynet* of 8th August 1885 had some sensible observations on this useless iteration, year after year, inspection after inspection of the same sanitary defects. It gave a long list of the stock ones so often repeated, and then the writer proceeds to state that after he had listened to the well-worn theme from an inspecting officer, he could not refrain from asking him, if he did not seriously think the report could as well have been framed in his office. "What part of the country was free from these general characteristics, that he should have to stray abroad in quest of them. The whole was a question of money, and the mere bidding of the sanitary department was useless. Their ancestors never made houses before providing for an efficient drainage, and if their drainage is now out of order, the blame does not lie wholly against them. The railway embankments have affected it a great deal, and the crowding together of masses of work-people at the centres of European commerce and manufactures has also had its natural effects." He then proceeds to argue that the evils have grown up independently of the people, and that therefore they are not responsible,—they pay municipal and district rates, destined for expenditure under state management, and the state is therefore responsible for all these defects.

I wish now to consider whether any progress is made under the present system of municipal government to remove the glaringly bad sanitary condition of nearly all of the towns: and if not, in what direction a change could be made to bring about the wished for results.

The first part of the question may be quickly disposed of. Sanitary progress, except in Calcutta, is almost nil; and of the suburbs of Calcutta I find in the report for 1881, that their condition is worse than that of any of the bad towns in the mofussil. To the state of the suburbs the public, however, is quite alive, and there are hopes that proper steps will be taken to improve them. In the mofussil towns often there is absolutely no progress at all, and merely by the lapse of time things are going from bad to worse. Here and there some progress is made, but even that is wretchedly slow. The reasons of this lack of progress I believe to be the following:

First, there is the general ignorance of sanitary matters which, till very recent times, was to be found over all the world. In England and America, the foremost countries in sanitary science, the attention that is now devoted to it is quite modern. In the last century, and in the beginning of this, sanitary matters had very scant consideration; and the drainage and conservancy of English towns was often terribly bad. But *now* we have changed all that, and in every town in England there are sanitary experts, professional and amateur, and the subject is pursued with an

energy of application, equal to that displayed in other walks of life by the Anglo-Saxon race. And I think with pride and truth we can say, that this good leaven of zeal in sanitation has been introduced here in India, and every attempt is being made to spread it amongst our native fellow subjects. But sanguine indeed must be the man who can think that of its own accord it will spread amongst the native community, which is so strong in its "*vis inertiae*," and so weak in its power of voluntary association for the public good. Anyhow, there need not remain any doubt, for we whose duty it is to go about in the towns and villages can assert that the leaven is *not* working, and that the new science, to which much of Europe even is still a stranger, has not yet found a home in the native breast. The "*Reis & Rayet*" may be correct in predicating certain sanitary virtues of the ancient Hindus, but alas! those virtues are now things of the past. Besides we have to deal with many other races than the pure Hindus. None have ever, in these days, any idea of sanitary science as now understood; and those who are responsible for the government of the country in its municipal department must remember this. At present they appear to assume that municipal affairs can be executively conducted by mere tyros.

As far as inspection goes the fault of the present system is that every municipality is tried by the same procrustean measure, and all are recommended to adopt much the same remedies. No study is made of means to an end, and some of the recommendations remind one of a doctor who prescribes port-wine and champagne for a pauper, or a trip home to a poor Anglo-Indian. "Pucka" drains, and a complete system of night-soil conservancy may stand for the above luxuries; and are in most of the cases equally unattainable. The cause of making these unreasonable demands is, I consider, the failure to properly grade sanitary improvements, and to distinguish between what is necessary for a thickly populated area, and what is sufficient for a thinly populated one. Then, again, in each case there must be a study of the local conditions. This I don't think is made. On the other hand the municipal authorities themselves, in their ignorance and impotence, have generally done nothing except make an attempt here and there at what may be called superfine sanitation. Perhaps they build, as I saw in one rural town, model latrines, which evidently had no use except to be looked at. The result is that no progress is made, and no one ever shows the bewildered commissioners how to begin. They are told that everything around them is in an insanitary condition, and they must remedy it all. It is as if little boys just learning how to spell were censured for not being able to read a difficult book; and the master having blamed them for their ignorance, immediately departed.

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It is not likely that they would be much wiser when he returned next time. So it is with the municipal commissioners. They cry "*non possumus*;" and there the matter ends till the sanitary commissioner comes round again a year or two afterwards.

Lest it should be urged against these poor ignorant men, that they should live and learn by what they see an intelligent Government doing around them, I may point out that there is often a sad neglect of sanitary principles by the officers of Government themselves. Railways and roads are very often, I think I may say, generally, made, even in populous neighbourhoods, without any attempt at drainage. The work is given out on contract, and it seems no one's duty to look beyond his nose. If the embankment is made, the contractor gets his money and the engineer is satisfied; and unless there is a regularly defined water channel of some size, the surface drainage must dispose of itself by percolation. Again, the P. W. D. build in the middle of a municipality. The sanitary commissioner says that excavations and ditches which catch the drainage with no outlet, are bad. But when earth is wanted for a plinth the Government officer, by excavating unsightly holes and ditches, deliberately causes, what its sanitary authority declares injurious to health. Altogether, the latter is like one crying in the wilderness, for no one heeds him, not even his fellow Government officers.

There are, I think, two faults at the bottom of this failure of municipal sanitation: first, the want of knowledge and experience on the part of the municipal bodies; secondly, their general want of business ability in this direction. There are few, very few commissioners, who carry in their minds any idea of public wants beyond roads: and if only these are high and dry in the rains, they are perfectly satisfied. Of late lighting has become very popular, and it is the fashion to have a few dim and ill-kept lamps on the favourite promenade. The town may be, and generally is, provided with badly constructed roads, has no system of drainage or conservancy, produces unreliable vital statistics, and is otherwise without the rudiments of the sanitary art: yet the first surplus is devoted to lighting a promenade. It reminds one of the naked savage, who put on a hat and a pair of boots, and thought he was fully dressed.

The truth seems to be that town sanitation in the mofussil is regarded by Government as too empirical to be subjected to any rules. And yet during the last 20 or 30 years, great sanitary discoveries have certainly been made in England, in a few other countries, and at the presidency towns of India they have been more or less reduced to practice. These discoveries clearly point to the need of pure air, pure soil, and pure water as being the primary wants of human beings.

They may be called the necessities of life, compared with such conveniences as metalled roads, lighting, schools, free dispensaries, public libraries, and so forth. Of course it cannot be for one moment contended that the necessities in this case should be *fully* supplied before any conveniences are allowed. But only let the two sets of wants be clearly understood, and each receive its due attention. At present I fear native gentlemen are too inclined to ignore the first set, and spend lavishly on the second. A charitable dispensary, or as it is in these days, a free dispensary supported out of the taxes, I would put in the second class; and I would at the same time protest against these institutions being wholly supported out of the taxes. The municipal report for 1883-84 shows that in first class municipalities Rs. 88,000 were spent on the maintenance of medical institutions, whilst only Rs. 43,000 were spent on drainage; and in second class municipalities whilst the former shows Rs. 20,000, drainage has but Rs. 5,000. I merely quote these figures to show what a very subordinate charge on the taxes drainage is, when compared to medical relief: and this when we have the assertion of the sanitary commissioner that the drainage in nearly all towns is intolerably bad. Some three or four years ago all these free dispensaries were kept up principally by voluntary subscriptions, but in an unfortunate moment they were made over to the municipal committees. As might have been expected the fountains of charity immediately began to dry up; and each succeeding year shows a decrease of subscription; and if I mistake not, the reports for 1884-85 will show a further decline, while larger sums are paid to medical relief out of taxation. Surely prevention is better than cure, and this money if spent on draining the towns would prevent more illness than it now relieves. When Government freed municipalities from police charges it was with the declared intention that the amount so saved should be applied to conservancy: but owing to mismanagement much of the savings has been swallowed up by secondary wants. In consequence very little benefit has been conferred, except it be on the former subscribers to dispensaries, and as charity like mercy blesses him that gives and him that takes, even they have some cause of complaint. The truth is no one was by to guide and direct the commissioners, and generally they have simply frittered away the State's gift to them.

All this has been owing to the ignorance of public opinion, both as to the necessity of drainage and conservancy, and of the way to set about them. In both these respects the native public sadly want education. In England we find that by health acts, and sanitary inspections, the chief principles of sanitation are enforced. Of course the often ill-built and overcrowded houses of the poor cannot be immediately remedied, but they are

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recognised as evils which should be removed. Public opinion is the moving spirit and is supported by the law; and these two forces act and re-act on one another. Here, in Bengal, the sanitary commissioner, year after year, says of our principal towns, generally the head-quarters of district government, that the very first elements of conservancy and sanitation are neglected. The streets and bazaars are left littered with animal and vegetable matter, pools of stagnant and putrid water exhale odours of the worst kind, drains are blocked up with refuse sweepings, water which might easily be drained off is left to stink and poison the air, people are allowed to throw human corpses into sources of water supply—and so on. Thus the very decencies of municipal life are not observed. Again, often nothing is done to appropriate grounds for burial in crowded areas, to protect the drinking supply from ordinary contamination, to gradually introduce a system of drainage, to prevent encroachments on public roads, to open out and re-align roads, in fact, to do the thousand and one things that go to create a civilized state of affairs. Before coming to these conclusions I may add that I have had opportunities of visiting a score or more of municipalities in about a dozen districts, within the last 5 years, all of which I took care minutely to examine. But as the *Revs & Kayet* says, why stray abroad in quest of these things? They are characteristic of every part of the country. That paper further says, that Government is responsible for them by sins of omission as well as of commission. As far as my observations go, the P. W. D. certainly often helps to create a great deal of insanitation, even in the present day; and in former times it was the district officers who did much to obstruct the drainage of our old stations. For instance in that of Furreedpore there is a series of roads all at right angles to the slope of the country. They have next to no waterway, and what there is, is inefficient from being at too high a level. The villages within this ring fence are the unhealthiest part of the municipality, and have frequent cases of cholera and fever. And is it to be wondered at when they are thus made to stew in their own juice. The enclosure of course is rich with vegetable and animal matter, and the odours to be met with on the lowest containing road are of the most varied description; every few steps will often bring out one of a different type, the water there collected being blackish and brownish. Naturally, before the several roads were constructed, the villages were cleaned out with the first heavy storm of the rains, but ignorance has girdled them with a well-raised road, and all nature's contrivances are destroyed; for now nothing but the spill of the heaviest rainfall can escape. The rest must sink into the ground, or gather into the numerous deep ditches

and pools whose bottoms are almost impermeable from the slime and slush. Thus the water can only be got rid of by slow evaporation, and the rich steamy vapours that rise seem at times to be perceptible to other senses than the smell, for like thick darkness they can almost be felt. This area, though within municipal limits, is now not only the congenial home of cholera and fever, but is also infested with wild pigs, which root up the ryots' crops, and the jungle is so heavy in parts that an elephant would be useful to beat it.

I agree then that much of this obstruction has been committed or allowed by Government, and I am sorry to say that a good deal of similar obstruction is still being permitted, more especially in the making of village roads by, or at, the expense of the Road Cess department. The promoters of these roads seem to have no idea beyond the convenience of going along dry shod. And yet the ordinary villager has often a shrewd idea of the principles of drainage. He knows well, no doubt by dire experience, the baleful effects of "*pochiya jol*,"—rotten water, and appreciates having the fresh Ganges water let in to flush his dirty ditches; and if you suggest to him to cut one of these obstructive roads, he is delighted. His instincts are so far still healthy and good; but no doubt under the repression caused by the work of the road cess and municipalities, he is by disuse losing his old instincts. The upper classes seem to have entirely lost theirs, and now readily barter away the necessities of life for its conveniences. This is what the *Reis & Rayet* must mean by imputing all the responsibility to the Government. The educated natives have lost the genius of living according to the practices of their forefathers, and unfortunately the education they have received in its place does not include the science of sanitation. They are now the greatest offenders in causing insanitation and bitterly they suffer for it. Perhaps they reach the climax of it when they build brick houses in their native villages. The bricks and mortar are of course inferior, and readily take up the damp and moisture of the jungly swamp which usually surrounds their paternal homes. The house proves to be a death trap; and after it has played havoc with a generation or two, the family, if any are left, return to the bamboo and thatch of their ancestors.

The question remains how can this condition of affairs be remedied? Well, if the state through its officers of the P. W. D. and the road cess are responsible for a good deal of it, they might certainly be prevented from creating more nuisances, and might be required gradually to remove the old ones, for which their departments are responsible.

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Government is already particular in seeing that great water courses are not obstructed ; but why should there not be some sanitary authority to prevent even surface drainage being obstructed, and to insist on all roads having proper side drains, near human habitations, and bridges wherever wanted. In lower Bengal nearly all roads and railways follow the high banks of rivers, which are also the chief sites of villages. These if not properly bridged may seriously interfere with local drainage, and I can say, from my own observation, that the B. C. R. between Khulna and Jessore undoubtedly did so. This must without doubt act prejudicially on the sanitation of all the villages *en-route*.

Practically, too, I hold the State responsible for the bad condition of the municipalities. If a guardian allows a minor to grow up untaught, and without just restraint, he is rightly held answerable. Now the ills that afflict municipal areas are such that it requires first, knowledge that they are ills ; and secondly, administrative skill and energy to remove them. But both qualifications are as yet wanting to the class to which all power has been intrusted. It is ignorant, as I have shewn, of the principles of sanitation : and has no experience of self-government and next to no power of organisation. In England a common councillor is a member of a local board, has a much easier part to play, for there is a well defined sanitary law, which is worked through a town clerk, often a lawyer, and through a surveyor who is a civil engineer with a turn for sanitation. Each town too has a number of well educated doctors, one of whom is medical officer, and all of whom are more or less sanitarians. Then there are professional journals, discussing the numerous problems, and above all there is a sound public opinion which keeps the paid officers up to their duties. It is not expected, as here, that the honorary officers should undertake executive functions for which they may be completely unfitted and that in minute detail. They are merely the heads of an intelligent public, which sees that they get officers who understand their business and do not sit idle. But here there is neither an intelligent public nor fit officers. If, however, a commissioner happens to know what a nuisance is, and moves to abate it, he is as likely as not, to stir up a nest of hornets. That fearful curse of the country faction is immediately aroused ; and a man who complains of a dirty ditch may find himself the subject of a criminal charge. In consequence a department is urgently wanted to give rule and method to work in native towns. It is the only means of supplying the knowledge necessary to resolve, and the skill sufficient to carry out the resolution. For their own protection the commissioners want a strong outside

control, teaching and compelling them to do their duty by their charge. But the control must be a reasonable and continuous one, and such as will command their sympathy and respect. The absence of a sound public opinion requires a substitute. The present public opinion wants educating and supporting, and a "laissez faire" system in sanitary matters is as wrong in the light of these days, as it would be with respect to civil or criminal justice. How then can Government direct and educate municipal commissioners without depriving the community of the voluntary aid of the intelligent and public spirited? The difficulty of the problem lies in finding the tutor, and in defining the method of his direction. The district officials cannot be entrusted with the task, for they are incapable in every way. It could only be done then by having a special department, or rather putting the present one as represented by the Sanitary Commissioner on a satisfactory footing.

Now before the State could assume direction of municipal action, it would have to lay down the lines on which its direction should be based. Some practical rules would have to be adopted, and they naturally would rest on the plainest principles of sanitation. The first requisites, as I said before, for any community are pure air, pure soil, and pure water. But the attainment of these is so environed by every circumstance of common life, that to have determined so far is not to have made much progress. The next position is, that the state of the soil makes the air pure or impure. It is either water logged, exhaling the gases of all the decaying vegetable and animal matters in it: or it is dry and porous, and the organic matters are gradually being oxidated, and the soil thereby rendered a laboratory for the manufacture of air fit to sustain human life. If the above represents a fact, and scientific men tell us it does, the *first* requisite of every municipality is drainage, for no other investment of sanitary labour gives such high returns. Even when the soil is dry, patches here and there may be defiled and be exhaling bad gases; but what is that compared to the whole air-magazine being bad, as it is when a soil, rich in organic matter, is water logged. The mere presence of water of course is not unhealthy provided it is clean, or if dirty, is not allowed to stagnate, for the oxygen of the air is gradually purifying it. But stagnant foul water is unhealthy in the highest degree. At least the above is taught by the first sanitarians of the day. Then let the first rule be that all municipalities shall have a simple system of surface drainage.

All the Delta of Lower Bengal has naturally a most perfect system of its own: and if it were not artificially obstructed, all the towns and villages would at least be flushed and cleaned out in the rains, and have much of the organic impurities

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carried into the beels and rivers to enrich cultivation and feed the fish. To remove these obstructions, and see that more are not made, should be the first duty of the municipal authorities. In villages, and in many towns too, one great means of obstruction is the causeway from the road to the house. A liberal use of earthen pipes would immediately remedy this and at a comparatively cheap cost. Then drainage should follow the natural incline of the country. This is an axiom laid down by sanitary engineers, and yet how often is it neglected in mofussil towns. Again, drainage is damaged and often prevented by excavations. This is generally owing to the householder being obliged to excavate on the only ground over which he has control. The "rights of property" prevent his going farther afield; and many a man has his head broken over a question of cutting earth, especially in Behár villages. In municipalities this might be remedied by sites for excavation being selected for a whole neighbourhood, which could sometimes be converted into tanks. But all this requires a care and organisation that will never be got from the present executive of municipalities.

Having established the first rule for all areas, namely, that there should be unimpeded surface drainage, a great point has been gained. In deltaic Bengal it would mean the "sum-mum bonum" for three quarters of mofussil area. At present the ditches are often a series of canals with different levels, and unnaturally high roads have to be made to keep the passenger out of the high level water.

Rule 2 might be a strict system of vital statistics. The value of the present ones can be known by the fact, that towns in 1882 shew mean ratios of deaths of the preceding five years, extending from 5 to 84 per 1,000, a ratio of 5 denoting that the people live on an average 200 years. Yet the mean of all the towns for those years is 31, and this is undoubtedly much below the real rate, which may safely be assumed to be as high as 40.

Rule 3 drinking water to be supplied as soon as possible.

The first three rules would be the full complement for many rural municipalities, and the rural areas of all: but how great an advance on the present system this means, can only be conceived by those who are conversant with the subject. Next would come rules for all bazaars, and parts thickly populated. These roads should be swept, rubbish removed, and if the people have not easy access to open fields or have no gardens, latrines should be established. No make-believe should be allowed as is now often the case; but the apparatus and staff should be carefully and strictly worked.

Finally would come rules to help and guide advanced and

important municipalities, subjecting them to professional inspection, requiring them to show yearly suitable progress in the essentials of sanitation, and controlling, when necessary, their expenditure on secondary wants.

I see by the reports that second class municipalities some times spend a fourth or fifth of their gross income on dispensaries, others the same proportion apparently on their schools ; (I say apparently, because it may be that school-fees are included) ; and an infinitesimal amount on drainage.

Besides inspecting it would be the duty of the department to introduce the best methods of conservancy as ascertained by experience, to see that properly trained officers were supplied, the bigger towns being regarded as training schools, to engage skilled work-men at centres for outlying towns, to insist on the draught cattle and the various municipal plant being kept in good condition, and to apply constant tests to the vital statistics. In fact duties that would fall to the department would make a long list. To give an example of what I mean, Some years ago at Berhampore, when district officer there, I found that a public latrine had become an intolerable nuisance in a populous neighbourhood, owing to the iron cart used to remove the night soil wanting repairs. No local workman could be induced to do them, and the result to the unfortunate neighbourhood can be imagined. Surely there should be workshops available for all municipalities, and no apparatus should be introduced unless there are proper workmen at hand to keep it in order. If the conservancy of towns is to be undertaken, suitable men must have the direction. Bengalee gentlemen, of the pleader class, are hardly fitted by their instincts to manage this kind of work ; and trained men should be put at their service to do it for them. Otherwise much money is wasted, and the cause of sanitation most unjustly rendered unpopular.

Again from an incorrect idea of the relative importance of various forms of conservancy money may be misapplied. Let me refer to the town of Furreedpore, the drainage of which be it remembered is execrably bad, and admitted to be so on all hands. The annual income is between 6 and 7,000 Rs. In 1882-83, 86 Rs. were spent on drainage, and 994 Rs. on the dispensary. In 1883-84, 79 Rs. was spent on drainage, while 1,296 Rs. was devoted to education and 1,204 Rs. to the dispensary. The conservancy shows a decent expenditure, namely, 1,355 Rs. and 1,333 Rs. ; but the usefulness of much of this from a public point of view may be questioned, when it is discovered, that the work chiefly consists of cleaning private latrines, and that there are only two carts, each making only one journey a day with a bogus load. That in fact

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the conservancy really consists of the municipality doing for payment, what is usually considered the duty of domestic servants. The health of the town is not therefore necessarily improved, for the amount of noxious matter removed is something very small, and that only to a short distance, where from the careless way it is treated, it again becomes a nuisance. Is it therefore to be wondered at, that Furreedpore is declared to be deteriorating in salubrity. It is true that the cause assigned is the recession of the Ganges. But the way the drainage is universally obstructed and filth allowed to accumulate, and *in consequence* jungle to increase, will equally explain it. Government is spending a very large sum of money in public buildings. It pays a large sum as municipal taxes, the chief European officials pay another 200 or 300 Rs. and the Road Cess keeps up the only important road, and yet from the municipal expenditure the Government and the European officials may be said to gain no advantage at all. There is not a road in the place except the Road Cess one fit to drive upon. The place is deteriorating! Is it any wonder when the state of the drainage is considered. Will Government look on at this deterioration, this folding of the hands, and thus sin against humanity and its own interests. Life in Lower Bengal stations is gloomy enough already, and if European science is not to be allowed to improve them, matters promise to go from bad to worse. I believe that by judicious use of the municipal income, proper drainage, and therewith wider and better roads might be introduced in the course of a few years. At present most of the roads are high and narrow with undrained ditches. Though the sanitary commissioner lately pointed out this defect, some of them are now being re-metalled and insanitation is thus being perpetuated.

I only give particulars about Furreedpore, because I happen to be on the spot. The sanitation of other places is I am sure equally bad. The plea I know is, that there are no funds; but I have shewn that even the present funds are misapplied; and what will be thought of such a plea when it is known that the municipal rate is $\frac{1}{2}$ per cent. on income. That is native gentleman with 100 and 50 a month pay 8 annas and 4 annas. I will not assume that a higher rate would not be willingly levied if there were sanitary knowledge enough to point out an efficient way of expenditure. At present municipal commissioners sadly want education in the latest born science, and to be taught how to walk in it's paths. A pleader will go home and spend hundreds on his Durga Puja festival, but grudge as many rupees on improving the health of his household by sanitary measures. Many Englishmen are just as bad, being equally ignorant, but fortunately English public opinion

is more advanced, and sanitary cleanliness is becoming an instinct among them. But I see very few signs of the formation of such a public opinion out here, and it would be criminal to placidly allow all mofussil towns to await its advent.

Finally comes the question, how such a department, as suggested, could be organised. The principle of it would be, that Government through its sanitary commissioner should abandon its rôle of only offering advice, and should assume that of insisting that its advice should be followed. The law not only authorises such a position, but presumes that Government will insist on the commissioners performing the duties "imposed on them under this or any other Act:" for Section 64 gives it the power to take over the whole management on default being made. Under the following sections the Local Government is the sole judge of what a default is. Consequently if Government held that drainage, or any other form of sanitation was inadequately performed, Section 64 would enable the compulsory power to be applied. But practically it is found very difficult to pronounce what is a default, and the difficulty will remain till there is more precision about the requirements of towns. The higher executive authorities are somewhat inclined to consider an interest in mofussil sanitation as a "fad," and everything as yet to be too empirical for their interference. Every municipality is therefore allowed to go its own way, and the deputation of a sanitary commissioner to inspect them is something passive, rather than active, the only decent way in fact of doing nothing. To get over the undoubted difficulty of sanitation being very experimental, I have suggested that at first only the plainest rules be adopted, and that they be enforced under close supervision, so that a school of study and experiment be formed.

For this end the sanitary commissioner would want qualified assistants to act as inspectors, to enforce his orders, and to be a connecting link between him and the municipal overseer. Otherwise the "*vis inertiae*" of the committees could never be acted on. Under the present law, I believe, no contributions could be levied from the municipalities to pay for such a staff; but the object would be gained, if an arrangement could be made with the very large towns, such as Dacca, Patna, Burdwan, Bhagulpore and Cuttack to engage competent engineers, native or European, to take charge of their own sanitation, and to inspect and control that of the smaller towns, which would pay a quota of the salaries. Such men by study, practice and experiment would rapidly become sanitary engineers, and the important department of public health in urban areas, which is now relegated to the care of native gentlemen necessarily entirely ignorant of the subject, and to

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lazy and incompetent overseers, would be dealt with in a manner worthy of its importance. The sanitary engineers at the large towns would train overseers for the small ones, and keep up a workshop for all municipal plant. They would receive and check all returns, and see that the very first principles of sanitation were universally adopted. Professionally the town overseers would be under them—though still directly under the control of Chairmen of the committees. If the latter had any complaints of the overseers' technical work, they would bring it to the notice of the engineer.

To carry out the above would, under the present law, require the consent of all the municipalities, for it would involve a payment towards the salary of the sanitary engineer, and the resignation by the committee of the powers of appointing and controlling their overseer. I am sure nearly every chairman and vice-chairman must feel his inability, from lack of time and want of experience, to undertake this complete control, and surely the patronage of appointing an overseer is not so very sweet. A little extra taxation, especially where it is now only $\frac{1}{2}$ per cent., could easily be borne; and the advantages gained would, I am sure, be very great. The overseer, if at all kept up to his work, (he of course would have nothing to do with the collection,) could not only see that sweepers and mehters did their work, that roads were properly made and drains cleaned, but also that vital statistics were accurately reported. Much of the bad results of present municipal management is due to the incompetency of the overseer. This is not entirely their fault, for they get no good training and no proper superintendence. Few of them know the first elements of sanitation. Many too are old and superannuated, and hold their posts by the kindheartedness of their employers. Under the new regime their professional knowledge would be tested, and their experience widened by judicious transfers. Now they become old and grey headed in the service of one town, during which time they have learnt nothing. To aid and encourage sanitary reform, it might be well to establish a monthly gazette in which to record vital statistics, to publish the results of experiments, and generally to *make known ascertained facts* with reference to sanitation. As a medium of advertisement, too, it would be useful. To those who know the practical difficulty often experienced in getting municipal sweepers, this kind of co-operation will be very grateful. At home congresses are held, and would it be so very sanguine to expect the same could in time be held here too? Moreover if the subject became a study amongst liberally educated natives, and people could take heart by seeing sanitation successfully applied, knowledge on such vital matters could be popularised by the press, by

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lectures, and by pamphlets. It seems almost incredible that at present, no two municipalities are, to the best of my belief, exchanging experiences. They are all stupidly stumbling along the same rough road of experiment, and no one learns of the other. They, of course, never learn anything, not even from their own experience ; for it is not recorded.

Unfortunately under the present law it is not incumbent on the commissioners to keep vital statistics, though they have mostly begun to do so, the duty having formerly been performed by the police. The statistics, as hitherto kept, have been worthless ; otherwise much light might have been thrown on the comparative healthiness of various parts of the same town. For instance, if it were shewn that deaths were invariably more numerous in an undrained than a drained area, the importance of drainage would be scientifically proved and legislation could be framed accordingly. Now it is as hard to find the well drained area, as the one where mortuary statistics can be relied on ; and I fear the scarcity of both will continue if the theory of absolute self-government for people in their pupilage is maintained. The appointment of professional men to act as engineers and overseers, and a systematic study of sanitation are absolute necessities, if native towns are ever to have the benefit of modern sanitary science. Sanitary primers for village schools are excellent things (though I think those now used in Bengal are not as good as they might be) : but example is better than precept ; and there is more chance of sanitary ideas spreading, if Government can show better results in the town than if the subject is only taught in the schools.

Finally I would remark that the registered death-rate for Bengal towns in 1882 was 32 per mille ; and as the registration is undoubtedly most imperfect, it may safely be assumed that 40 is about the true figure. The death-rate of London in 1883 was 20·4 and for the large towns of England 21·6. In the Government resolution on municipalities, we are told that in the town of Rungpore, before a system of drainage was introduced, the death-rate ranged from 34 to 39 ; and that in that year, that is after, it was only 24·82. Surely such a proof as this should induce Government to insist on some system of drainage being introduced into every town. Undoubtedly the present high death-rate interferes most materially with the advance of civilisation, and Government can well afford to spend both time and money in discovering first the causes of it, and then the means to diminish it. A mere increase of population without increased longevity, may be a calamity ; and plagues and famines may be the result ;

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but an increase of the span of human life, and that by removing the causes of sickness and death, must at least be regarded as purely beneficial. Government cannot therefore remain satisfied with a benevolent attitude towards municipalities : but it must actively help them to do their duties. I have tried to show that under the present system they have nothing like the same opportunities for counsel and guidance as similar bodies in England. All I suggest is, that they should be confederated, so as to obtain such advantages : that thereby all *acquired knowledge* should be rendered available, and that a scientific method should be followed of studying the whole subject by a record of practice and experience.

F. H. BARROW, B. C. S.

ART. II.—TWO EMPIRES: ANOTHER SIDE OF THE SHIELD TO MR LEE-WARNER'S.

IN a recent number of this Review, Mr. Lee-Warner has contrasted the state of the British Empire in India with that of the Roman Empire. The contrast, as one might easily conceive, is altogether in favour of the former. A civilian would hardly be true to his salt if he did not see the work undertaken by his brethren in its best light, and there can be no such inspiring belief to a worker, as that the work in which he is engaged is the most justly planned and the best executed of all works, which have ever been wrought in this world. The two points on which he lays chief stress in his contrast are, the cruelty of the ancient Romans compared with the lenity of the modern English, and the tribute paid by the provinces to the city of the seven hills, contrasted with the disinterested policy that spends the revenue of India solely for the benefit of India. He repudiates altogether a statement taken, I presume, from W. T. Arnold's little book on Roman Provincial Administration, a book to which I am indebted for many of the details of this article, to the effect that if we are indignant with the Roman rule, we ought to be still more indignant with our rule in India. This expression is used, I may remark, by Mr. Arnold not with reference to the fiscal burdens imposed by the Romans and the English respectively on the races subject to their sway, as one would naturally conclude from Mr. Warner, but to the personal disabilities to which these latter were, or are, subject. To this expression of Mr. Arnold's I shall revert, but for the present it is sufficient to say that I do not write for the purpose of proving or disproving the statement. I do not intend to make Mr. Warner's article the text for a controversy; I believe it to be a very incomplete expression of the facts; to have intensified all the colours, making the black appear very black and the white very white, and as I proceed I shall now and again point out where this is the case; but my main purpose in this essay is rather to point out parallels between the two empires, and to see what great lessons we may learn from the history of the mighty Roman empire,—the mightiest empire that the world has ever seen. That this empire was founded on something more than robbery, was managed with wisdom and some degree of equity, is evident, if the test recommended alike by Gamaliel and Darwin be employed. It survived. From the time of our first wars with Dupleix in Madras, from

conquest has on the conquered, or on the conquerors themselves. With the latter alternative, I shall have nothing, save perhaps, incidentally, to say. My subject confines me to the former alternative. I propose after briefly running over the history of the growth and organisation of the two empires, to institute a comparison between the treatment of the provincials, or rather the subject races, under the two régimes, to see in what main points this treatment corresponds or is different in the two cases, and then I shall point out briefly what I believe to be the main lessons that we may learn from the Romans of old.

Let me enter then into my subject. The Romans entered into their career of conquest beyond the bounds of Italy itself in the latter part of the third century before Christ. Previous to that time they had been engaged in consolidating their rule in Italy itself, just as the rulers of England had for centuries before the rise of our Empire in the East, been engaged in welding Great Britain into a harmonious whole by the reduction of the power of the great feudal barons, and then by uniting with England the countries of Wales, Scotland and Ireland. At the time of which I am speaking, Rome found itself confronted with a rival, powerful in trade, on the sea, and in war, just as England found itself opposed last century to France. And just as it was English rivalry with France on the Coromandel Coast and in Bengal, our contests with Dupleix and his coadjutors that started England on its triumphant career in India, so was it out of the Punic Wars, out of the rivalry of Rome and Carthage in Sicily, Sardinia and Spain, that the Romans were first forced to the idea of a foreign empire. Neither England nor Rome at starting desired such an empire. The East India Company desired dividends not conquests, and the Romans of the time of which I am speaking, seemed undesirous of founding settlements in foreign lands. From the Punic Wars, came the Greek Wars, that ended with the reduction of Macedonia, and from these wars again came the first conquests in Syria and Asia. Then came the Mithridatic wars, into which the Romans were, one might almost say, driven, just as the English were driven into the Punjab wars. The result in both cases was the same: the absorption of a large part of the state of the aggressive party into the empire of the conquerors. The conquest of Gaul, of parts of Spain, and of other outlying districts was the consequence of the necessity of repressing troublesome frontier tribes in the only way that they could be effectively repressed, *i. e.* by the conquest and annexation of their country, a policy which the English have carried out again and again, and are now carrying out with respect to Burmah. There seems to be also a necessity laid on all expanding states, not physical indeed, but

moral, which gives them no rest till they reach certain natural boundaries, such as the Romans had on certain sides of their empire in the Rhine, the ocean, and the Euphrates, which it is hoped the Russians will find in the Paropamisus and the Hindu Khush, and which England has in India in the Himalayas. The period of conquest is almost always one of immense suffering for the conquered. The old bonds of society become broken, and all administration becomes out of joint. A period of anarchy supervenes. Such a period existed in more or less force in the Roman provinces till Julius and Augustus Cæsar assumed all power in their own hands. Such a period also existed in British India from the days of Plassey till almost the close of Warren Hastings' Governor-Generalship, and in a more mitigated form, till far into this century. One prominent feature of all such periods is the extortions of those in authority. During what I may call the Roman period of anarchy, the proconsuls, proprætors and others that ruled the provinces were not paid. Roman patricians would have rejected with scorn the idea of being directly paid by the state. Indeed, so far did the feeling go, that for a very long period, the Roman lawyer was not supposed to receive a fee from his client, a feeling that survives in the modern English idea of a barrister receiving not a regular wage for his labour, but a *honorarium*. But though a Roman objected to receive pay, he had no objection to plunder. Mr. Warner has quoted Cicero's statement concerning Verres, how in three years he succeeded in amassing a sufficient fortune for himself and his dependants, in addition to the wherewithal to bribe his accusers. English officials in the East have never, to do them justice, thought themselves too grand gentlemen to draw their pay. But the pay of civilians under the East India Company before the days of Lord Cornwallis was small, and they adopted the same method, under the variations suggested by circumstances, that Roman governors of old did, *i. e.*, they plundered. The chief distinction to be remarked is, that whereas the Roman was a high-handed plunderer, taking often forcibly what he wanted, the Englishman of last century pursued the more peaceable but equally lucrative method of bribes, monopolies, and the thousand and one different ways of amassing riches open to a powerful individual in an Eastern State. Benfield was probably the equal in rapacity though not in cruelty to Verres, and he would be a bold man who would assert that the financial consciences of the average members of the Madras Council from 1750 to 1780, or of the Bengal civilians from the time of Plassey to the accession of Warren Hastings, were one whit purer than those of the Roman Governors of old. With Lord Cornwallis came the

introduction of large salaries, from which event illegal shaking of the pagoda tree rapidly diminished, till now, in the higher classes of the services at least, it may be pronounced unknown. So shall we afterwards see that with the introduction of paid governors under the empire, pecuniary corruption very largely diminished.

Another feature of these periods of anarchy is the prevalence of brigandage. Wars drive immense numbers from their regular habits of husbandry, and every one that loses his all, finds his one resort in the road. This feature was most noticeable in British India after the Mahratas wars, when the Pindaris, and their successors the Thugs, gave our government enormous trouble. Dacoits and other robbers were a trouble to us before, but it was only in a time of comparative peace that adequate notice could be taken of them. So, too, was the case in Rome of old. The frequent wars, the cruelties toward slaves, made briandage as popular an institution, as it was in the early periods of Greek history of which Thucydides makes mention. The disturbances caused thereby culminated in the establishment of the Cilician pirates, who called out the entire force of the republic under Pompey, before they were put down. The Cilician pirate war is a very close counterpart of Lord Hastings' Pindari campaigns.

There is one evil of which we read much less in the early history of the provinces than we do in our histories of early British Rule in India. The Romans never instituted a tribunal, which did so much harm in the provinces, as the Supreme Court did in Bengal. It is almost impossible to find in a Roman historian lines charging any of their institutions with instituting a reign of terror as terrible as that so graphically described by Macaulay. In the matter of civil justice, the Romans were inclined to leave the provincials alone in all cases, save when the rights of Roman citizens might come in question.

After the Republic came the Empire ;—after anarchy came order. The most beneficial and the most lasting work of the early Emperors was the organisation of the provinces. I see it noticed in the reviews in the last volume of Mommsen—a volume which I have not seen myself—that the great German historian considers Tiberius as one of the best administrators that the world has ever had. Certain it is that the provinces regained rest, and settled down to the regular habits of peace. They were divided into two sets, corresponding in some respects to our Regulation and Non-Regulation provinces—the Senatorial and the Imperial. The latter, by common consent, seem to have been the better governed. New conquests, save in Britain and one or two of the outlying portions of the empire, were hardly undertaken. The empire seemed to have reached its

natural limits. There were no great aggressive empires on its borders till the Sassanid monarchy arose in the third century. The process of Romanisation went rapidly on chiefly through two methods; first of all through the gift of Roman citizenship being widely given to the provincials, and secondly through the *jus gentium*, the law governing the relations between the Roman citizen and the provincial being extended and systematised. The prosperity of the provinces increased, and the days of Trojan and his successors have been termed by the English historian of the decline and fall of the Roman Empire as the happiest in the history of mankind. Gradually this sunshine of prosperity became overcast; with the establishment of the Persian empire, a formidable aggressive enemy established himself in the East; and the decree of Caracalla, making all the provincials Roman citizens, a decree chiefly dictated by financial necessities, failed to raise the provincial to a sense of the responsibilities of a Roman citizen. The Goth, too, became a formidable enemy; by the middle of the third century he became troublesome; within another twenty years a Roman Emperor had fallen against him on the field of battle; and though the military genius of Probus and other Roman Emperors managed to stem the torrent of barbarian invasion, and the new civil organization of Diocletian and Constantine gave new life to the empire, still it was a very different life from the vigorous life of the earlier Roman Empire. With its later history I have but little concern. The Empire of the West was soon overwhelmed by barbaric forces, who were themselves, however, largely impregnated by the ideas of the empire they had conquered, and when it rose again, rose a very different creature from the Empire of Julius and Augustus. In the East the empire maintained itself for a much longer period, but ceased even as far as its official language was concerned to be Roman by the end of the sixth century. The Byzantine Empire in its civil administration, in its all pervading fiscal arrangements, bears certain striking likenesses to the British Empire in India, but of these I do not intend to speak. The careful reader of Finlay can hardly fail to discover more than one of these parallels.

Turning now to the great questions that arise concerning the Roman and the British Empires, the first that presents itself is, whether subjection to these empires has been more advantageous to the subject races than a continuance in their former stage. To answer this question it is important to determine what this former stage was. Let me here quote Arnold;—"The practical question, of course, is as to whether the conquered country had a free, national, prosperous life before its conquest, and whether or not that conquest has given it a life more worth having than the

old one. We justify our rule in India where we are certainly aliens and interlopers to a greater degree than the Romans were in any of their provinces, by pointing to the peace and security we have given it, by dwelling on the endless petty wars and detestable tyrannies of its innumerable princes before our rule existed. In fact, we say, that the previous state of things was so bad that our rule is a desirable substitute. The Romans would have said, and did say, pretty much the same about their own rule; and it is quite impossible to give a fair judgment of that rule unless we have some clear idea of the state of things which it replaced." And then he proceeds to discuss briefly the antecedents of the chief Roman provinces before they came into Roman hands. The result of the discussion is this, that with the exception of Macedonia, in the wars with which Rome was not the aggressive party, no national life was crushed for the very good reason that there was no national life to crush. When Mr. Warner quotes the speech that Tacitus puts into Civilis' mouth concerning the axes, the rods and the other manifold means of oppression under the Roman régime in Gaul, it should not be forgotten that the words are not those of Civilis, but those of the historian himself, it being a recognised privilege of ancient historians to compose their characters' speeches on the principle of putting in their mouth not what they did say, but what a rhetor of the schools would have said under similar circumstances. And even if we had the very words of Civilis, what would they prove? A rebel is not likely to paint the conduct of the master from whom he rebels in the most favourable light. If we had extant the speeches of any of the mutineers at Delhi, in what colours would the English domination of India be painted? The native press at the present day shows us how many of the natives look upon our rule.

Apply this principle of Arnold's to India, and what result do we get? In what condition was India, when the English commenced their conquering career? Was there in existence a strong national life? Was it a well-governed, contented country that came into our hands? The briefest reference to the facts of the time will be sufficient to answer these questions.

When the English began in the last century to lay the foundations of their Indian Empire, the one vigorous power in the country was the Mahrattas. The great Mogul Empire was crumbling rapidly to pieces. Its period of power had been marked with many acts of cruelty, and stained with much occasional oppression, but it was a strong, well-organised power, the lands comprised within it, save those on the borders, had the blessings of peace, and as far as

we can learn its subjects were fairly prosperous. But for good or for ill its time had past. The Mahammedan decay, of which we now-a-days often read much, may have been accelerated by the British rule, but it certainly had commenced before that rule. The one powerful Mahammedan family with which the English have had to contend has been the Mysore family, and the reigns of Hyder Ali and Tipou resemble rather the rule of the Mahattas than of the Delhi princes. And what of the Mahrattas themselves? Their own native province was doubtless prosperous as any country would be prosperous that was receiving into it the spoils of foreign countries. But their rule was neither more nor less than organised robbery. The system of chouth, the large marauding expeditions which they conducted into almost all parts of India, were an unmitigated curse to the natives of all India save those of Maharastra itself. One would have felt pity if any foreign power had subverted the empire of Akbar or Shah Jehan, but who save a Mahratta would grieve at the overthrow of Daolut Rao Sindia or Jeswant Rao Holkar? It was no highly organised commonwealth that fell before the conquering arms of the English; there existed, indeed, a complete administrative organisation owing to the village system of the Hindus and the governing skill of the Mahammedans, but the real power in the country was in the hands of petty tyrants, deliverance from whom has not been the least of the benefits conferred by the English on the natives of Hindustan. Even in the Punjab, the country was only taken over when the Government became completely disorganised, and there was no internal power strong enough to retain the turbulent soldiery. In one part of India comparative order seems to have reigned last century, *viz.*, in Rajputana. The chiefs there seem to have been strong enough to have maintained their states in order, and at the same time to have abstained from being a nuisance to their neighbours. But Rajputana has been almost untouched by British rule, and while in almost every other part of India, province after province has become British, the Rajahs in Rajasthan rule over the same territories that their ancestors have ruled over for hundreds of years.

These reflections lead to a query concerning the future. Will the natives of India under British rule ever coalesce and become one nation, in the sense that the English, the French or the Germans are one nation? The Roman Empire in the West almost obliterated the old nationalities that were amalgamated within it, and the new nationalities that have risen from them show indelible marks of Roman influence. Roman law is largely the basis of all Western legal systems, with the exception only of the English, and that even is largely tinged with Roman ideas.

The languages of France, Spain, Portugal and Rumania are founded on the Roman tongue, and Latin has been for ages the canonical language of the largest section of the Christian Church. Systems of education and of government have been largely moulded in Roman models, and the roads that the Romans built in their Western Provinces are still the backbone of the internal road systems of various countries. The Holy Roman Empire may not have had the influence ascribed to it by Freeman and others of what may be called the Modern Teutonic school of history, but no one can read Dante without feeling how deeply ideas of the Roman Empire had entered at least the Mediaeval Italian mind. In the East the lasting influence of Rome was not so great. It is not, indeed, untraceable, Mahammedan law for instance being in many points so close to Roman law, that the connection cannot be purely accidental, but Roman influence had in the East to contend with a civilization as tenacious and more ancient than its own. Alexander of Macedon conquered Western Asia a century and a half before the Romans put foot in Asia, and the Hellenism which he did so much to promote, suited more the genius of the races of the countries to the East of the Mediterranean than the more robust but less flexible civilisation of Rome. It was in the more savage races of the West that the latter found its most fertile seed ground, just as the results of British rule in India are in many ways more strikingly seen in the Sonthal and the Assami and other semi-savage communities than in the Mahammedans and in the higher Hindu castes.

Returning again to our question concerning India, it would be a rash thing to prophecy whether the Mahammedan lion and the Hindu lamb will ever lie down together, whether the religious and other animosities that still exist in the native mind will ever be appeased, and whether out of the heterogeneous races of India, one nation will be formed, even in the sense that the Roman and the provincials of the time of Caracalla were one nation. There is one difficulty in the way, which was not present in ancient Rome, the religious difficulty. The subjects of the Roman Empire differed in religion, but with the exception of the Jews, who were politically comparatively insignificant, and the Christians, who, in the most flourishing time of the Roman Empire were few in number, they were all polytheists, and had the feelings of toleration that polytheism engenders. Now leaving aside the Christians, who at the present time anyhow are a comparatively insignificant factor in the native populations, the Mahammedans are a non-polytheist race, intensely zealous in the propagation of their creed, and sincerely believing all beliefs save theirs to be false. If, however, the people of India do become one nation, it may be safely prophesied that

the main lines of their future civilisation will be neither Hindu nor Mahammedan but English, Hinduism with its caste system, with its non-inclusion of converts within its gates, at least within its more sacred gates, can never be the basis of a nationality, within which shall be gathered races of other beliefs; it may be a philosophy, a rule of life, it can never be the basis of a united people. Mahammedanism, also, though it has succeeded in ancient times capially as a welder of nationalities, is too theocratic, too intolerant, ever to be a foundation-stone to such an edifice as an Indian nation would be. The Western system of civilisation then alone remains. Whether it will succeed in this task is doubtful; that it will go far towards succeeding is undoubted: English education has spread over the length and breadth of the land, and even where it has not, English ideas, by means of the rail-road, the telegraph, and a hundred and one other agencies have spread themselves. One might as well attempt to put back the clock of time, as to confine a native's education, as I have seen it proposed, to the study of the vernaculars. For good or for evil, the ship has left its moorings and put to sea; where it will anchor is only known to Him that rules the nations of the earth. Take for instance one notable sign of the times, the English delegates at present in England with an intention to influence the general election. In one way their talk of representing two hundred and forty millions of people is absurd; they simply represent small classes in the Presidency towns. But they, and people like to them, are the leaders of the people, and ideas almost always permeate the masses from above. It has only been by degrees that the Copernican astronomy has been accepted by the people of the West; it ran its way first among the scientific, then among the cultured, and finally amongst the masses;—and the same future one may prophecy for English political ideas, now but dimly seized even by the leaders of native thought.

The wheels of God grind slowly,
But they grind exceeding small.

From the question of national existence, I now proceed to the question of finance?

It is here that Mr. Warner finds the greatest contrast between the British and the Roman Empires. The latter extorted from the provinces an immense sum of money, the so-called tribute, so he says, to feed the pauperised population of the capital; England on the other hand not only extorts nothing, but actually, as in the case of the Afghan war, puts its hand in its pocket to help its poor dependency. Now the facts are undisputed that England charges nothing in the revenues of India save what may be, under some pretence, styled a legitimate charge. Any thing like a direct tribute, such as that which provided Rome with

bread and circuses, is unknown. But a small glance at history will show how unfounded would any claim be for superior morality on the part of the English, and especially on the part of the English governors of India, on that account. The tribute assumed the form it did for the very simple reason that, when the Roman conquests began, the Roman people were in reality, and till the end of the conquests, in name, if not in more, the rulers of Rome. Distribution of bread, lavish games, grand shows, were the one way of bringing home to the mind of a member of the Roman proletariat that he was one of the masters of the world. These things were a visible sign of the Roman's mastery, and as he had the power of making consuls and praetors, tribunes and aediles, the uses to which a certain portion of the tribute was put were simply a means of flattering King Demos. And if it be asked, why with the extinction of the voice of the people in the choice of the magistrates, this form of bribery was not extinguished too, the answer is, that the power of the mob, as long as the seat of government remained at Rome, never did become extinct. In the days, during Julius Cæsar's absence in Gaul, when Pompey's power was greatest, and when he named most of the officials of the state, he found the mob more than once too strong for him and had to remain secluded in his private house. In the commencement of Tacitus' annals, there occurs a remarkable passage, in which he points out that the price paid by the Cæsars for the destruction of the political power of the people, was the present of cheap markets and games. In England, on the other hand, until the present year, the people have never really been the ruling power. The benefits of English rule in India to the classes that have held the governing power in England, have been greater by means of the room India has afforded for members of these classes to acquire fortunes in it, the scope it has offered for trade, and the favourable investments found in it, than they would have been by any tribute either paid into the British treasury or expended in presents to the British proletariat. And as to the governing class in India, though save in the first twenty or thirty years after Clive, when it was intoxicated by the opening of roads to enormous fortunes, it cannot be accused, as a class, of consciously forwarding its own interests to the evident detriment of India's, still it has never been noted as a class for great self-denial when its own interests have been concerned. From the days of Drake, Becher, and the hundred others that welcomed every change in government at Murshidabad as a means of receiving presents from the incoming Nawab, to the present day, when it is thought by some of the members, that the Civil Service is entitled to appointments of almost every sort, provided that a good

salary be attached to them, the abnegation of the governing class in India has never, to use the mildest expression, been painfully evident. When Mr. John Bright accuses the Indian bureaucracy of desiring new wars, new annexations, inasmuch as new provinces mean new well paid officials, he is not correct, in all probability, in putting forward this desire for new appointments as a consciously active power in the matter, but that it carries much weight to the many official minds, unknown in many cases to the official himself, is I think certain. The Indian Civilian can indeed hardly be blamed in the matter ; human nature being as it is, it is improbable that many would act otherwise ; but that this feeling of self-aggrandisement should be as successful as it is, is certainly a blot on the, in many ways, highly successful system of the Civil Service. And the large salaries paid to officials, are tribute paid by India, just as much as the money paid by the Roman provinces for the bread of the people of Rome. Whether a tribute is justifiable is quite another matter ; it may be argued quite fairly that no people will undertake the task of governing another gratuitously, but whether the payment made goes to the actual individuals that govern, or to the general treasury of the governors, matters but little to the governed.

That the salaries paid to our officials are really tribute to a large extent, is very evident if we ask whether the work done could not be executed much cheaper than it is. Take, for instance, the case of officials that proceed to the hill stations for a great part of the year. They have a climate in many ways equal to an English one, and yet, not including the Viceroy, the Lieutenant-Governors and the Commander-in-Chief, there are a number of them receiving a salary higher than that of the English prime minister, and as for the number of them that receive a salary superior to that of a Parliamentary Under-Secretary, it would take a rather troublesome enquiry to find out the number. Could not men be got to do the work satisfactorily at half the price ? And then in the plains, leaving outside of our calculation, the position of the Collector, which needs perhaps exceptional men, how much saving could be effected without seriously affecting the efficiency of administration, by substituting the natives of the country for the present officials. The Romans, as we shall see further on, stand in a very favourable light compared to us in this matter. But the real question concerning Indian finance is not whether it be right to impose tribute on a conquered nation or not, or whether we do impose tribute. What is more important, is whether our fiscal arrangements weigh heavily on the country or not. Now the most conclusive test of this is the general prosperity or want of prosperity of the people. This does not indeed

rise solely from light and equitable taxation ; equitable laws, influences of climate, and many other causes may be mentioned which have part in these results. Thus the miserable condition of a part of the Deccan a few years ago was more attributable, I believe, to evil laws than to any severity in taxation. But of all the causes that contribute to national prosperity, none perhaps are so important as the financial measures of the state. Now what was the result of Roman taxation in the provinces ? That it was not very light is certain. Finlay talks of the rapacity of the Roman rule and of its blighting influence on Greece, and that Roman rule did less good to Greece than to any other part of the Empire is certain. Mr. Warner waxes eloquent in his description of the heavy taxation extorted from the Asiatic Ryot. But take on the other hand the following from Arnold concerning the period of the early Empire. " These two first centuries of the Empire were for some countries the flower of their history. Asia Minor was rich and populous, and studded with innumerable cities. The immense sums which these cities voluntarily spent upon their aqueducts, amphitheatres, and other public works, were perhaps excessive and extravagant, but attest a grandeur of conception and a superb indifference to economy which could only have sprung from a great material prosperity. The same facts appear in Syria. There were 200,000 Christians alone in Antioch in the fourth century. Jerusalem had a population of 600,000. Egypt was inhabited by seven and a half millions of people, 300,000 of whom were settled in Alexandria. Strabo and Pliny give similar testimony as to Spain and Gaul ; and Africa in particular enjoyed a prosperity which has never fallen to its lot before or since. The Danubian Provinces were equally well off, and the towns both more numerous and more important than they are at present, while those that are still the most considerable, for instance, Widdin, Sistova, Nicopolis, are all Roman foundations." And what is true of the East is still more true of the West. Gaul, Spain, Britain. How greatly did they profit by Roman Rule ! Take the last named for instance. Under Roman rule, towns, such as London and York, came into existence, roads were run through the country, splendid buildings, as may be seen by their remains, were built, mines were opened up and agriculture flourished. If it be remarked that all these things are no evidence as to the prosperity of the peasant but only that the country was successfully exploited, I would say that they cannot long exist without a prosperous proletariat ; and that such tests are the ones on which we chiefly rely when descanting on the prosperity of India under our rule. It is very difficult to compare directly the condition of a peasant in one generation with his condition

in another,—wages, and the price of necessities, being very variable factors. But increase of population, of cities, and of trade can more easily be gaged, and from them a people's prosperity may be inferred; and in the West under Rome, during the first two centuries after Christ, were seen the same symptoms of increase that are notable now in British India. Another test of a good system of taxation is its flexibility, its power of increase under an emergency. How stands it in this respect with India? The highest authorities in Indian matters, amongst others, only the other day, the Secretary of State told us that the limit of taxation had almost been reached. With the exception of an increase in the salt duty, there seems to* be no other measure feasible whereby a large increase of revenue is acquirable. So much was this the case, that when the Russian scare was on, it was found necessary to use the pruning knife in expenditure, cutting down here and there, and more especially in the expenses connected with Public Works, expenses, perhaps, the most likely to be ultimately profitable that we are incurring in India. Does not this show that despite our boasted disinterestedness, the British Indian Empire at present, like the Roman Empire of old, is taxed as at high a rate as it can well bear.

Before leaving this question of finance, I must revert one minute to the behaviour, as regards money, of the governors themselves. The Roman officials of the Republic were largely corrupt, just as the English civilians of last century were. At the present day, largely through the idea not only that corruption is wrong but unprofitable, as it would be silly to ruin one's career for a bribe which can hardly ever be commensurate to the risk incurred, the services have become exceedingly pure, corruption and the accompanying oppression being left to the hands of the policeman and the hundred and one other petty and underpaid native subordinates. The same influences that have operated in the English civilian mind were not without their force on the Roman. "The splendid career open to a legate of capacity, who was favoured by the Emperor, would be endangered if not forfeited by yielding to the mean covetousness which had disgraced the governors of the Republic. A man had more to gain by keeping his hands clean than by fouling them." Such is Mr. Arnold's statement. That cases did occur so much oftener under Roman regime than they do now under British, may be assigned to two causes, the higher morale in the English service owing largely to the influence of Christianity, and secondly the better control that the English Government

* This, it must be remembered, was written before the Income-tax—a tax only calculated to produce £600,000 was mentioned.

has over its officers, owing to improved communications, than was possible in ancient Rome.

I now turn to the municipalities in the provinces during the Empire. These bodies were the great means of Roman government. Wherever former Greek *poleis* were found they were preserved, and where nothing resembling them was found, the Romans created municipalities, not necessarily at once, not all in the same way, but gradually and in different manners, till the whole Empire was studded with them. In founding these municipalities, the Romans shewed the greatest degree of political wisdom,—very unlike the folly, sprung from ignorance, that caused the English from the time of Plassey, almost I might say till the Mutiny, to attempt to destroy the local institutions of India, that served for purposes of political administration. In Egypt, where administrative institutions, eminently fitted for the purposes for which they were designed, already existed, the Romans changed but little. In Greek cities and colonies, the change was chiefly from democracy to oligarchy, or as Arnold expresses it, timocracy. In the West, where virgin soil was largely found, the model on which municipalities were founded, was Rome, and popular election of magistrates seems to have remained in existence in these municipalities long after it ceased at Rome itself. To these municipalities was left a large part—probably even a larger part than in England—during the two hundred years after Actium—of the local government. Their first duty, and one in which the Romans naturally would most insist, was the collection of the Imperial revenue. The work done by our Indian collectors was performed, and performed as far as we can tell, well, by these municipalities, to which were attached tracts of country around. Some of them were much like some of the rural boroughs that existed formerly in England, or the groups of boroughs in Scotland—combinations of a large number of small townships. Almost all matters of internal administration were left to the municipal authorities. They looked after the roads and public buildings, managed the police, and administered justice.* After holding office for a certain time, the magistrates were admitted to the rights of Roman citizenship. The interference of the governor with them, though it not unfrequently happened, was contrary to settled constitutional ideas, and oppressed municipalities had a formidable power, often put into use in the early Empire, of accusing a tyrannical governor to the Emperor. Such a power is almost unknown in India. Mr. Wallace is dismissed from the Civil Service in Madras, not for being an inefficient public servant—

* The powers of municipalities varied largely. But what I say may be taken as a fair general statement.

though seemingly as an afterthought the Madras Government made that charge against him—but because he happened to be personally rude to a higher official than himself. But cases of dismissal, still more of legal proceedings in which the official is made personally responsible against members of the Civil Service for acts in excess or in violation of their duty, for acts of oppression towards the native of this country, are unknown. Now though the Civil Service is composed of a body of high minded gentlemen, it is simply impossible that any number of men, possessed of the power that they have possessed for the last century, could have, in all instances, used these powers without abusing them. The governing bureaucracy's influence in all cases in which a covenanted official is accused by the press or otherwise of any official delinquency is directed towards hushing up anything that savours of scandal, under the idea, that such scandal, if proved, does harm to our administration. Harm, of course it does, but does not concealment do double harm? Now after what I have said of Roman municipalities, it seems almost comical to read Mr. Warner's talk of them as exhibiting "the farce of self-government," whereas he seems to think our Indian municipal government if not perfection, at any way on the high road to it. One almost suspects him of having laughed in his sleeve when he penned the words. Allow me to quote from a High Court Judge a description, in a judicial decision, of the powers of the municipality—not of some obscure provincial town—but of a presidency town, Madras itself. It appears from the Municipal Acts that the Legislature intended that a budget for the ensuing year, "containing an estimate of the available municipal income, an estimate of expenditure as approved by the Commissioners, and proposals as to the amount of taxes necessary to be levied . . . for the purpose of meeting such expenditure in the next ensuing year of municipal taxation," should be submitted to Government in sufficient time to allow the Governor in Council to consider it, and to "pass, reject or modify all or any of the items" entered in it "or to add thereto any items before the commencement of the year for which the budget was prepared. Such legislation, interfering with and over-riding possibly a Presidency municipality in comparatively minute particulars, seems to render local self-government here much more of a farce than it was in the vigorous municipalities flourishing under Imperial Rome in its most palmy days. And what has been the condition of the ordinary mofussil municipality? Before the changes inaugurated by Lord Ripon took effect and the principle of popular election came into force, the Commissioners, 'jo hukms' as they have been commonly and not unjustly called, were really the obedient servants of the Civilian officer, usually

the Collector, who was their president and agreed to whatever he had to propose. And under the new system, the Commissioners, though elected by popular vote, seem to have not more power than they had before, and are under the drawback that the control from without, which is exercised over them, is exercised not by the Collector, who as the officer on the spot would be best acquainted with the necessities of the municipality, but by a Secretariat, the head quarters of which is for many months of the year in some remote hill station.*

Another point in which the Roman administration seems superior to ours, besides the more vigorous life of their municipalities, is the greater chances a provincial had of rising under it than a native has under the British Government. A Spaniard was Consul very early in the empire, and the Emperor Nerva was himself also a native of Spain. Later on, after the days of Severus, there was more than one Barbarian Emperor, but the period I am especially speaking of is the first two hundred years of the empire. From the days of Julius, provincials were largely admitted into the Senate, and the Army and Civil administration were full of officers in the superior ranks, who had sprung from the provinces. It may be urged that the Spaniard, Gaul or Greek of those days was nearer to the Roman in habits, disposition and character than is the Indian to us. This is, to a certain extent true, but the native is largely acquiring English ways of thought, and what is true of him as regards his mental habits, may be prophesied to become more true every day in other respects also. The country, too, which he would be asked to assist in governing, it must be remembered, is his own. In the army the higher grades are totally debarred to him. It is doubtless true that he does not possess the perseverance, military genius, and I might add, physical stamina of the English soldier, and it would be unsafe to rely on him to any great extent in Europe against a European foe, and even in his own country too exclusively for resistance to, say, a Russian enemy. But nevertheless it remains true that there are martial races in India, whose old spirit has not died out by the *pax Romana* that we have established in the land, and who would be only too glad to enlist in our armies, provided that their nobles and their men of superior genius, might have a fair chance to rise to something better than a position a little inferior to that of a British captain. This question of employment of natives in our armies is one surrounded with serious difficulties,

* It must be remarked that I am not discussing the comparative merits of democracy and autocracy in Municipal management. My remarks refer solely to the more extensive powers exercised by the Roman municipal authorities.

but it seems that public opinion is gradually coming to look upon it as imperative that something should be done to make the native army really popular by getting the upper classes of the country to join it. A consequence, not solely arising from the fact of the large employment of provincials by Rome in the civil administration and the army, but rising in part from it, was the slight military force it was found necessary to keep in many of the provinces. With a long extended boundary, in almost every side exposed to invasions from the barbarians, the Romans kept an army not nearly double of that which we keep in British India. In many provinces the number of troops were less than that we keep in Bengal. Surely this is proof enough that either the people were fairly contented or were totally degraded. The latter can hardly be asserted, as after the collapse of the Western Empire, many of the peoples again showed that they had not forgotten their ancient virtue. Finlay makes special mention of the bravery of the Greeks, of Greece itself, during the invasion of the Goths in the third century, though this people had for three centuries been almost totally unused to arms.

I think then that I have succeeded in showing that the provincials were, during the first two centuries of the Empire, not so very badly off. They had peace, were contented—certainly as contented as the people of India now are—though they were not lightly taxed, yet in the greater part of the Empire the taxation was not so heavy as to prevent their country prospering to a wonderful degree; they had a vigorous municipal life and deserving members of them could rise to honours far surpassing any that a native can aspire to in British India. It was to this fact that Mr. Arnold alludes when he refers to indignation being greater at our rule in India than to Rome's rule in the provinces. Whether such indignation exist in my reader, will depend upon the universality of his belief in the right of every nation to manage its own affairs.

Turning then from the provincial's day of prosperity to his day of decay, what were the chief causes that brought the latter about? I would reply three, the decline of the civic virtues among the people, the misrule of the military Emperors from the days of Severus, and the pressure of the barbaric tribes and the Sassanid Empire on the borders of the Empire. To these I might add as a minor cause, yet not without its power, the subjective turn of the mind, connected with, though not a necessary consequence of, Christianity. The withdrawal of thousands as monks to the Thebaid and to other solitudes to work out their own salvation, oblivious of the fate of all the world besides, sufficiently illustrates my meaning. The three causes first named are closely connected. The misrule of the Emperors caused increased taxation, increased taxation involved the municipalities in ruin,

caused the authorities to neglect their work, and was an important constituent in the gradual loss of the civic virtues, and the inroads of the barbarians also induced heavier taxes and a train of subsequent evils besides helping to render more and more important the military element in the state. Are any such causes working disintegration in the Indian Empire now? Certainly not in full growth, but the germs from which they may spring may be seen. Even the greatest philo-Russ will probably admit that Russian officers have often talked of the feasibility of conquering India, and that though the Russian Government may not have any such design, some move in European or Asiatic politics may cause it, if the English Government be not in its guard, to attempt at least some sort of attack in Hindustan. The Goth is not thundering at the gates, he is still far away in the steppes, but any day may bring him dangerously close. Precaution means expenditure, and expenditure means heavier taxation than the present, and, as I have already pointed out, the present taxation is already almost as much as the people can bear. Such a time, too, is one eminently when military demands exceed all others. I need hardly mention that the subjective turn of mind exhibited by the early Christians is largely reproduced in the attitude of large sections of both the English and the Indian people. A cure for these germs of evil will be extremely hard to find; but its foundation must be an economical administration, a complete revision of civil charges, and a policy of peace wherever possible. The influence of the democracy in England will probably be found strongly on the side of these reforms. It naturally will have but little sympathy with large salaries, highly paid appointments; its natural tendencies are all in favour of peace, and its feeling, to which I have already alluded, that the Indian people as men, have certain rights, will certainly tend towards more of the native element, and consequently more economic element in the administration. That India should be a sport to party is an evil, but the good arising from the increased interest taken by the democracy in India, will in part counterbalance, if it do not outbalance, that evil.

26th November 1885.

PRINGLE KENNEDY.

ART. III.—SKETCHES OF EUROPEAN HAJIS.

IN the *Overland Mail* of November 6th, 1885 (p. 56) there is an extract from the 'Men of the Day' series of *Vanity Fair* relating to Burton, in which we are told that this traveller 'penetrated, *for the first time*, into the hitherto sealed city of Mecca.' Considering that the statement comes from a widely read 'society paper' of the world's metropolis, it is startling. In a standard work recently published we are told, again, that 'only three Englishmen have been known to have visited Mecca'—namely, Pitts, Bueckhardt, and Burton; which is the same as saying that only three Englishmen have made the visit, and of these one was a Swiss, and another an Irishman! These are but samples of a class of mistakes that may be continually met with in the higher order of journalism and literature of the day. As no monograph on the subject of the European Hâjis has ever yet (as far as our information goes) appeared in English or in any other language, the following Sketches may prove interesting to those who have a *penchant* for Islâmic matters. In order that the situation may be duly apprehended, we preface the Sketches with a statement of the nature of the authority on which the prohibition of non-Muslims, visiting the Ka'ba, rests.

In the ninth year of the Hâjira—a year after the capture of Makka by the army of Muhammad—the conqueror established the law, that none but such as were adherents of Islâm should in future be permitted to gain admission to the Ka'ba, or to participate in the rites and privileges of the Sacred Territory. The circumstances which led up to the promulgation of such an ordinance may here be briefly stated.

During the years which had expired since the Prophet had taken up his residence in Madina, he had abstained from being present at the time-honoured ceremonies of the Hâjj, because the great mass of the pilgrims were, what he accounted, pagans, and because idolatrous practices mingled with the holy rites. Though now the master of Makka, he was still kept away from (in great measure) the same cause; unless indeed, we are to accept the explanation held by some, that he deemed it unsafe just then to leave Madina owing to the threatened defection of some of his leading followers, in consequence of the serious domestic quarrel and scandal connected with 'Mary the Egyptian.' He resolved, however, that this should be the last occasion on which the Hâjj should be disfigured by unworthy customs, and the Holy Places be polluted by the presence of Unbelievers. He was now strong

enough to banish heathenism entirely from his native city. When thus purified, the ceremonies might, without compromising his holy office, be performed by himself. In the year following he performed the pilgrimage which proved to be his last,—the pilgrimage historically known as *Al-Hajjū'l-Wida'a*, or 'Pilgrimage of Farewell,'—and in the following year he died.

In the absence of Muhammad, the present pilgrimage—the Pilgrimage of the ninth year of the Hajira, historically known as 'the Pilgrimage of Abū Bikr'—was attended from Madīna by a limited caravan of but three hundred men,—the Amīrū'l-Hajj, or 'Chief of the Caravan,' being Muhammad's father-in-law and successor, Abū Bikr. Shortly after the departure of the caravan from Madīna, the opening verses of the ninth Chapter of the Qur'ān were 'revealed,' the drift of which verses was the compassing of the purpose just alluded to. The passage is styled *Bara'at*, that is, 'Liberty' or 'Release,' because the Prophet is therein 'discharged,' after the expiry of four months, from any obligations otherwise devolving upon him towards the heathen Arabs. This important 'revelation' he entrusted to 'Alī, his cousin and son-in-law, who was despatched with it after the caravan. When he had overtaken the pilgrims and communicated the nature of his errand, Abū Bikr inquired whether the Prophet had put him in command over the Hajj. 'No' replied he, 'but he hath directed me to recite the Divine behest in the hearing of all the people.'

Accordingly, on the *Yaumu'n-Nahr*, or 'Day of Sacrificing,' at the place of lapidation at Mina, 'Alī read aloud to the multitudes who crowded round him in the narrow pass, the proclamation embodying the law of prohibition technically known as 'The Declaration of Discharge.' The words of the Qur'ān in which this regulation is embodied, occur in what is generally held to be the last of the Sūras—namely, Sūra IX (TAUBA) 17, where we read—

'It is not (seemly) that idolaters should visit the temples of God,—being witnesses against their own souls of (their) Infidelity. The works of these men are vain : they shall remain for ever in Fire.'

Still more explicit is the teaching of *ver.* 28, where we read,—

'O ye who are the true Believers, verily the Idolaters are unclean : let them, therefore, not come near the Holy Temple after this year.'

The proclamation is lengthy : we have selected only the portion that mainly effects our present purpose. In the lips of Muhammad, this term 'idolaters' is used in its strict and proper sense of 'image-worshippers,' and those to whom he applied it were those whom he had come to regard as his personal enemies,—the image-worshippers of Arabia, to whom up

to this time the Ka'ba had been for many ages a grand centre of devotion. Such persons had hitherto been in the ascendancy there,—enjoying all the advantages of political and religious control at a time when Arabia was a wealthy land ; and now that Muhammad had succeeded in dispossessing them, he claimed to exercise authority to exclude them altogether, unless they were prepared to accept him as their civil and ecclesiastical head.

His followers, however, have widened the scope of the prohibition, and they make it apply not to image-worshippers alone, but also to all persons whatsoever, who do not avow their acceptance of the Islâmic faith. So stringently, indeed, do they apply it, that even among the *bond fide* adherents of the Faith, none but those who are of the dominant sect are allowed access to the Shrine. Any members of the Shi'a persuasion (such as the Persians) who may gain the desired access, can only do so by the practice known in Islâm as *Taqiyya*, 'suppression of one's real religious tenets.' Moreover the passages we have cited are regarded by Muhammadans as containing a Divine prohibition as to non-Muslims setting foot within any mosque whatsoever ; and the lateness of the period of the 'delivery' of the passages is understood to enhance, if possible, their authority : for 'the more recent, the more authoritative' is a dogma which Muslim divines apply to all revelation,—Jewish, Christian, Islâmic : hence, in the case of those numerous passages of the Qur'ân which contradict one another, the later ones prevail.

With this interpretation of the law, all the roads leading into the city of Makka are, from points of varying distance in the different directions thence, carefully guarded ; so that it is all but impossible that any one not a Muslim should gain access to the spot. Any attempt to contravene this law would, on detection, be visited with certain and severe punishment, and most probably with loss of life. 'I will not deny' says Burton, in allusion to the first occasion of his standing within the chamber of the Ka'ba, 'that looking at the windowless walls, the officials at the door, and the crowd outside, and the place *death*, considering who I was, my feelings were those of the trapped rat description ; for however possible it may be for a Christian to breathe safely in Meccah itself, nothing could preserve him from the ready knives of enraged fanatics if he were detected in *The House* :—The very idea is pollution to a Moslem.' This corroborates the statement of Pitts,—'Tis as much as a Christian's life is worth to go into the *temple*.' All this is in entire keeping with the statements of other men who have travelled in Arabia. All authorities, in fact, are agreed as to the rigour with which the Sacred Territory in general, and the Ka'ba in

particular, is guarded against the approach of Christians. It was, however, long ago pointed out by Gibbon, that the prohibition does not apply to the entire continent of Arabia; for Christians are admitted without scruple into all the sea-ports of Arabia: even the Sacred Territory itself has been crossed and re-crossed, on many occasions, by Christians,—the chief objection being to the Ka'ba being beheld by the eyes of Unbelievers. Hence, Burckhardt (the sincerity of whose conversion to the Faith was suspected by Muhammad 'Ali) was escorted, on his first visit to Tâif, by what is known as 'the upper road,'—which skirts the Sacred City on the North, and from which the Ka'ba is not visible. So that in excluding Christians from the peninsula of Arabia, the province of Hijâz, and even the navigation of the Red Sea, Chardin and Reland are more rigid than Muhammadans themselves. The law does not, however, appear to require the exclusion of Christian *books* or the discussion of Christian topics; for Wolff speaks of a copy of the New Testament having been taken by a pilgrim to Makka, and of conversation on the subject of Christianity having been carried on by pilgrims within the Temple itself; that is, of course, within the hypæthrum which surrounds the Ka'ba.

As to Englishmen, however, the objection of Arabs to their visiting the Ka'ba is based, not on religious grounds alone, but also on the ground of nationality, as is abundantly proved by Burckhardt; and that which specially rouses them, is the discovery of an attempt to deceive them by the mere assumption of externals. Mr. Bicknell (who performed the Pilgrimage in 1862) seeks to put the matter in the true light. He tells us that his account (which is appended to Burton's 3rd edition, 1879) was written by him from a desire to encourage other Englishmen, especially those from India, to make the visit to Makka at Pilgrimage-time; and that they should not allow themselves to be deterred by exaggerated reports concerning the perils of the enterprise. It must, however, be frankly confessed, be understood that it is absolutely indispensable to become a Musalmân, at least externally, and to assume an Arabic name. Neither the Qur'ân nor the Sultân enjoins the slaying of Jews or Christians who may intrude into the Sacred Territory,—provided, of course, they profess themselves converts to the Creed of the party prevalent in Makka—namely, the Sunnî party. Bicknell relates that two years prior to his own visit, an incognito Jew was found there, who refused to repeat the Kalima, or formula of the Islâmic confession of faith,—*Lâ ilâha illa 'llâh, wa Muhammad Rasûlu'l-lâh*, 'There is no Deity but Allâh, and Muhammad is the Messenger of Allâh.' He was crucified by the populace,—who, by such an

act displayed their feeling towards both Judaism and Christianity at one stroke. This traveller, however, differs from Palgrave when he says, that even an Englishman—provided he is sufficiently conversant with the prayers, forms, and customs of the Faithful, and possesses a sufficient guarantee of orthodoxy—need apprehend no danger, if he only obtain from the British Consul at Cairo an introduction to the Amiru'l-Hajj. This traveller recommends by name his Mutawwif, 'or Prayer-guide' (and local cicerone in general), whom he found extremely courteous and obliging. He adds that this man promised that he would shew other Englishmen the same polite treatment that he had himself experienced from him! All we can say is, that if the accounts of the other travellers are to be relied upon, Mr. Bicknell was particularly fortunate. Of course, neither the Amiru'l-Hajj, nor the Mutawwifs, nor any of the officials or non-officials there, would raise any objection to an Englishman seeing the Ka'ba, provided he professed himself an adherent of the Prophet. The conversion of all persons to the Islamic faith would be a matter for joy and thankfulness to the officials at Makka and to all true Muslims, but especially if the convert had formerly been a Christian or a Jew. But a Christian or a Jew who is true to his belief, makes his religion a matter of conscience, just as a Muslim does; and he would not feel himself at liberty to disavow or suspend his convictions, though for a few days only, even for the acquirement of the prestige of 'a Haji.' But there are some minds that seem incapable of perceiving that this arises from any thing but narrow prejudice. In the passage just cited from Burton, he speaks of himself as a Christian, even when he stood within the Ka'ba.

But notwithstanding the terror of detection, the precautions of the Makkan authorities have, on different occasions, been circumvented; and, as a consequence, there are several valuable works now in existence containing more or less detailed accounts of the Ka'ba, and of the ceremonies carried on there. With the view of putting our readers into a position to estimate authorities, we have prepared the following brief biographical sketches. The list includes the names of all the non-Muslims who have ever visited Makka, and have left on record an account of their visit; and the sketches are arranged in chronological order. It has, of course, not been our aim to draw up a complete history of each man; but rather to bring together such of the leading facts of their several histories as relate to the circumstances under which their visits to Makka were respectively made, and to present a critical estimate of the value of their several contributions to an intelligent understanding of the subject of Makka and its religion.

The first European who ever visited Makka and Madina, and left an account of those cities, was LEWIS BARTEMA,—a native of Bologna and citizen of Rome. His name is found variously written Ludovicus Vertomannus, Lewes Wertomann (or Wertomannus), Ludovico Bartema (or Varthema), and Ludovico di Verthema.

The only reason this man puts forward for his making the perilous attempt, was a love of travel and a desire to see the world. To gratify this desire, he not only visited Arabia, but also many other countries,—such as Egypt, Persia, Syria, Ethiopia, and the East Indies, including some of the larger islands of the Eastern Archipelago. He embarked from Venice in 1503, and arriving first at Alexandria, he visited Babylon of Egypt, Beryuts, Tripoli, and Antioch. On the 8th of April of that year, he started from Damascus with the annual Syrian Caravan for Madina and Makka. To elude suspicion, he disguised himself in the dress of a Mameluke,—a term which he applies to ‘al suche Christians as have forsaken their fayth to serve the Mahumetans and Turks.’

After performing the ceremonies of pilgrimage in both cities (first, of course, in Madina) Bartema escaped to the Red Sea by Jidda, and embarked thence for Persia. But touching at certain ports in Southern Arabia, he was at length taken prisoner at Aden; and before he regained his freedom, he saw some other places of interest,—among which was the ancient and famous city of Sanaa,—the capital of Yaman. He appears to have feigned madness; and after many adventures, he succeeded in starting from Persia with the Indian fleet eastward.

The account of Bartema’s travels was first published in Latin, at Milan, in 1511; and the first English translation of it appeared in Willes and Eden’s *Travels*, quarto, 1575. This translation will be found in the second volume of Purchas’s *Pilgrimages and Pilgrimage*, and in the first volume of Ramusio’s *Raccolta delle Navigazioni e Viaggi*. The portion of his narrative that relates to his visit to Makka has been given by Burton in the first and second editions of his own work.

This old traveller’s pages abound with such information as would be gathered by an unscrupulous and hard-headed observer in a fresh field,—with the added charm of a most interesting quaintness both in thought and style. They are, however, disfigured (as Burton has well pointed out) by a little romancing; as where he speaks of the Jews of Khaibar (near Madina) being ‘of the heyght of five or sixe spannes. and some muche lesse’! Some of these inaccuracies are too evident to impose upon any one; and they are attributable, perhaps, to haste or inadvertency, or to his information regarding some

things having reached him through untrustworthy channels: Even as to the little Jews of Khaibar, of whom he speaks, it may be doubted whether he spoke from personal observation of them. But ludicrous as the dimensions seem, it should be borne in mind, that all who have travelled much in the Arabian peninsula, testify to the undersizedness of the genuine Native of the interior:—he is, speaking generally, short, thin, and wiry. Yet, adds Burton, (from whom we have mainly taken these details of the man) for correctness of observation and readiness of wit, Bartema stands (all things considered) in the foremost rank of the Oriental travellers, of what may be called the olden time.

The next European who visited the Sacred Cities of Islâm was a fellow countryman of our own, JOSEPH PITTS, a native of Exeter,—the first, and till quite recently perhaps, the only Englishman, strictly so called, who ever went to Makka.

In 1678, when only fifteen years of age, this lad ran away from his parents with the determination of becoming a sailor and seeing foreign countries. With this object in view, he engaged himself on board a ship at Topsham, close by his native city. On the voyage, the ship was captured by a pirate of Algiers; and Pitts, among others, was taken prisoner and sold into slavery at that port. Unhappily for the poor lad, the man who obtained possession of him was, in practice as well as by profession, a person of singular cruelty. In addition to his being captain of a troop of horse, he was a profligate and a murderer. As often happens, however, in such cases, he had withal a decided touch of superstition; for he resolved to atone for his past sins by proselytizing a Christian slave to the Faith of Islâm. By dint of extreme and most inhuman cruelty towards poor young Pitts, he at last succeeded in extorting from him the words of that formula, the utterance of which is understood by the Faithful to constitute one a Musalmân. Of course, this was in truth no conversion at all; and Pitts glories in the fact that he still continued to read his Bible in secret, and prove to himself, in various other ways, (such as surreptitiously eating pork) that he was not a *bonâ-fide* adherent of the religion into which he had been cruelly forced by the merciless application of the bastinado and other tortures.

When this unfortunate lad had passed some fifteen years in slavery, his master, another man of the name of 'Umar, the third to whom he had been sold,—went on pilgrimage to Makka and took his slave with him,—travelling by the regular route of the Maghribi Caravan, by way of Alexandria, Rosetta, Cairo, and Suez, and thence by sea to Jidda. Pitts's sojourn in Makka extended over a period of four months: as he left

with the caravan soon after the termination of the pilgrimage; it is evident that he passed in Makka the month of Ramazàn,—a circumstance that lends importance to his testimony respecting the imposing nature of the scene at the Temple during that month. Now, it is a law among Muhammadans that any non-Muslim slaves whom they may chance to possess are to be made free in the event of their embracing the Faith,—a law which is understood to be based on the practice of the Prophet in respect of his own slave Zaid ibn Hârith. From what we have just seen as to his having been flogged by his first master into the repetition of the Kalima, it does not appear that Pitts received the benefit of such law; for his own statement is, that this third master of his, desirous of effecting some atonement for his own past sins, gave Pitts a letter of freedom entitling him to wages. Though Pitts continued with him, yet as he had no intention of remaining among Muhammadans, he now began to think of returning, with all possible speed, to his distressed parents. Such a resolution, however, was attended with serious risks: but as even freedom, among such people, was to him a kind of odious servitude, he cast about for the first opportunity of effecting his escape to England. How he contrived to do so, it may be interesting to relate briefly.

It appears that the Grand Turk had sent to Algiers for ships, in one of which Pitts was allowed to embark,—in what capacity he does not inform us. From a Mr. Baker, the English Consul at Algiers, who took compassion upon him, he succeeded in obtaining a diplomatic letter to a Mr. Raye, then British Consul at Smyrna. The magnanimity of this act of Mr. Baker's will appear, when we observe that when, some years afterwards, he was waited upon in London by Pitts, he gave him a copy of the letter, with a memorandum written on the back of it in the following terms:—‘Copy of my letter to Consul Raye, at Smyrna, to favour the escape of Joseph Pitts, an English renegade, from a squadron of Algiers men-of-war. Had my kindness to him been discovered by the Government of Algiers, my legs and arms had first been broken, and my carcase burnt,—a danger hitherto not courted by any.’

In view of an indefinite period of travelling in connexion with the hazardous course upon which he had now entered, the prospect of sacrificing eight months' pay and certain other moneys by his flight, seems to have weighed upon the mind of the unhappy fugitive, and to have led him to hesitate as to whether he would not, even now, return to Algiers. But he decided at length to persevere in the desperate enterprise to which he had committed himself; for had he been captured, now that he had entered upon it, he would have been dragged about the streets, face downwards, at a cart's tail, till he was

half dead, and then burned to ashes in the burial-place of the Jews. Step by step, circumstances transpired which were of a nature to facilitate his movements. Thus, on arriving at Smyrna, he found there a Mr. Eliot, a merchant from Cornwall, who had served some part of his apprenticeship in Exeter and was now settled at Smyrna. This man entered sympathetically into the case, and paid for Pitts's passage in a French ship to Leghorn, the sum of four pounds. The evening before sailing, Pitts went on board dressed as an English gentleman: and on landing at Leghorn, he prostrated himself and kissed the ground,—thanking God for his liberty, and that he was once more, after so long and bitter a period, permitted to set foot within the domain of Christendom.

Pitts travelled homeward through Italy, Germany, and Holland, as King William the Third was then at war with France. But on the first night of his arrival in England, he was impressed for the King's service. Despite his representations, entreaties, and tears, he was compelled to pass some days in Colchester gaol, and was finally put on board a smack, to be conveyed to the *Dreadnought* man-of-war. Happily, however, for himself, he had written to Sir William Falkener, a member of the Smyrna or Turkey Company in London; and that gentleman used his influence to secure for Pitts a protection from the Admiralty Office. In this effort he succeeded; and Pitts went at once to London to thank his kind benefactor. He then hurried down to Exeter; but only to make the mournful discovery, that though his father was still alive, his mother had lain in her grave about a year. As he was absent from England nearly seventeen years, the date of his visit to Makka, which he does not specify in his narrative, may be put down as about 1693.

The long period of Pitts's residence in Algiers prior to his going to Makka, led to his becoming considerably conversant with the more colloquial element of the Arabic and Turkish languages. Taking with him to the Sacred City this important qualification, he was in a position to acquire a better knowledge of the beliefs and practices of Muhammadans than his predecessor Bartema attained to, and to interpret more correctly what fell within the sphere of his observation. Burton (than whom there is no better judge in such matters) testifies to the accuracy, in the main, of Pitts's account of the scenes of the Hajj. But much of the admitted inaccuracy of the book, as also its comparative meagreness, is owing, undoubtedly, to the fact that it was, all of it, written from memory long after the actual visit was made,—a fact which is shewn in the circumstance that, though Pitts had not seen the Royal Exchange (of London) till his return to England, yet he speaks of the Temple of

Makka as resembling it. But notwithstanding this drawback and the evident defectiveness of Pitts's early education, his long residence in Algiers sufficed, in some measure, to supplement the deficiency, by giving a measure of fulness and finish to his observations. Bearing in mind all the peculiar and exceptional circumstances of this whole case, the consecutive-ness of Pitts's narrative and the comparative fulness and exactness of his information, do wonderful credit to his observancy and retentiveness.

That the view thus expressed coincides with the one taken by Pitts's contemporaries, is shewn in the circumstance, that as many as four editions of his little book were called for at intervals which, in those distant years, would not be considered great,—the first in 1709, and the last in 1738. There is also a fifth edition—merely, of course, a reprint of the fourth—which was published in London in 1810. The work (like so many of the works published in those remote days) has a long title ;—*A Faithful Account of the Religion and Manners of the Mahometans,—in which is a Particular Relation of their Pilgrimage to Mecca, the Place of Mahomet's Birth, and Description of Medina and of his Tomb there.* Inasmuch as Pitts was the first Englishman who had even visited the *terra incognita* of the Hijâz, and witnessed the performance of the ceremonies of Al-Hajj, his narrative long excited considerable interest, and does so still. He afterwards, we learn, became a Minister of the Gospel in connexion with the English Episcopal Church ; and a volume of Sermons preached by him may be seen in the library of the British Museum.

It is curious, as Dr. Crichton observes, that even so well-read a man as Gibbon was, seems not to have seen or heard of the interesting work of Pitts in reference to the subject of Makka,—though he should have known something of it from another work with which he certainly was familiar,—Sale's 'Preliminary Discourse.' It is one of the first and best books on the subject of which it treats ; and interesting as it still, on a variety of accounts, is, it is even now but little known. But since its author was evidently destitute of that kind of special education necessary in a traveller whose writings are to retain their place in such an age as ours, it has long been displaced by the writings of more scholarly and better equipped travellers who have visited the Hijâz within the present century.

The third European who visited Makka, and gave the world the benefit of his observations, was 'ALI BEY. In the case of any non-Muslims who would visit that city incognito, it is essential that they adopt an Arabic name. The name now given was the one assumed by Badi'a-y-İeblich, Domingo (or Castillo),

who was born, according to some, in Biscay, in April 1766; according to others, at Barcelona, on April 1st, 1767.

Mr. Bankes, the author of the *Life of Finati*, who tells us that he had access at Constantinople to the original papers, says that 'Ali Bey was a Catalonian, and was suspected to be of Jewish extraction. He is said to have obtained a liberal education at Valencia, devoting special attention to the study of Arabic, mathematics, and the physical sciences. His attainments, however, in the study of language, do not appear to have been in any way remarkable; for, besides his mother-tongue (Spanish), he only spoke French, a little Italian, and the Maghribiyyan (or Western) dialect of Arabic,—which (as Burckhardt, who followed him in a few years, was informed at Aleppo) he spoke badly. On completing his educational term, he was employed in some capacity under the Government of his native country. At what point of his life the idea of becoming a traveller occurred to him, does not appear to be exactly known. Possessed, however, of a naturally lively and restless disposition, he at length formed the project of visiting Africa and Asia,—singling out, in particular, the Muhammadan countries which border on the Mediterranean.

In pursuance of this purpose, he (in 1797) resigned his appointment under Government, and went to Madrid to make proposals for a tour of exploration in Africa, in the scientific and mercantile interest. Having gained promises of support from Don Godoi, the Prince of Peace, he betook himself for a short time to London, in 1802, for the purpose of extending his knowledge of commerce and politics. During his sojourn in England, he sought to enlist the interest of some of the leading members of the learned Societies in his project,—which was, to visit Africa by way of Morocco; and, before his departure, he spared no labour by which he might make himself familiar with the manners and customs of the peoples he intended to visit. It is now admitted that he was employed in his journeys in the East as a political agent in the service of the above-named King of Spain; for he travelled with Oriental magnificence, and bore with him the strongest letters of recommendation from the Government of that country to all its agents abroad, and with an open credit upon them. He seemed, moreover, to be a particular friend of Don Godoi's,—occupying a portion of his time abroad in collecting objects of antiquarian interest for him. He travelled in the style of a Muhammadan prince; and from the manner in which he was received by the Spanish ambassador at Constantinople, on his arrival at that place after his return from Makka, it became obvious that he was regarded, even in official circles, as a person of consequence.

In his solicitude to elude suspicion in those countries where it is dangerous for a Christian foreigner to be found, he disguised himself as a Muhammadan,—even going so far as to undergo that painful ordeal required of all true followers of the Muslim faith. Thus equipped, he changed his name to '*Ali Bey al-Abbâsi*—the latter portion of the name being a common tribal distinction among the Faithful—and set sail from Spain, in June 1803, for Morocco,—giving out that he had been born of Tunisian parents in Spain. There was much in his personal appearance that must have helped to confirm this delusion; for he is described as a man of middling size, with a long thin head, black eyes, large nose, and a long black beard. He visited many of the Muhammadan countries; and wherever he appeared, he was received as a person of rank. On his arrival in Africa, he represented himself as an adherent of the Muhammadan religion; and by the style he assumed, he avowed himself a descendant of the Abbâside princes. His tact, abilities, and testimonials gained for him such esteem, that he was even invited to the Court of the Emperor of Fez and Morocco. After residing for a period of two years at the latter of these places, he set out on his journey to Makka in 1805.

He did not, however, proceed at once to the Sacred City, but sojourned for some time in Tripoli, Cyprus, and Egypt, and eventually journeyed from Alexandria to Cairo,—thence to Suez, and thence to Jidda,—arriving at Makka in January 1807.

After attending duly to the rites and ceremonies required of him there in his character of pilgrim, he returned to Cairo in June of the same year. This city he soon left for the purpose of visiting the chief places in Palestine and Syria,—including especially Jaffa, Damascus, and Aleppo. At this last-named place he occupied himself for two months in arranging the Journal of his travels. Here, it seems, he was suspected of being "a Christian"; but his profuse liberality, and the pressing letters he brought to all persons of consequence, staved off or allayed the suspicions of those around him. He must, however, have experienced a very narrow escape of detection and exposure; for Burckhardt says, that even when he visited the place, as much as seven years later, there was a great deal of talk about this man,—not only there, but also at Hamar and Damascus.

It is obvious that 'Ali Bey did not, as some of the other travellers did, remain in Makka longer than was necessary for the mere performance of the rites of the pilgrimage; for in the autumn of the same year, after having visited many places in Palestine, and made a stay of some time at Aleppo, we find him in Constantinople. Notwithstanding what has been said

above as to the manner of his reception by the Spanish Ambassador at this place, he soon found himself compelled to flee, on account of the reality of his being a Musulmân having become a matter of doubt.

It has been surmised that the commission with which this traveller started on his journeys was given him by Don Godoi at the suggestion of Napoleon. However this may be, on his return to Spain he declared himself a Bonapartist, and was afterwards (in 1809) made Intendant of Segovia and Prefect of Cordova. But the facile manne, in which he shelved the question of patriotism and submitted to the French conqueror, proved fatal to his prospects in Spain; for on the expulsion of the French in 1813, he was compelled to take refuge in France. He took up his residence in Paris; where, in 1814, he published, for the first time, an account of his adventures under the title of *Voyages d'Ali Bei en Afrique et en Asie pendant les Années 1803 à 1807*. The work was issued by Didot in three volumes octavo. An English translation of it was soon afterwards published in London, and translations of it appeared in due course in most of the languages of Europe. The English translation was published in two volumes octavo in 1816, by the Messrs. Longman, Hurst, Reed, Orme, and Brown, of Paternoster-row. In the summer of 1814, the author went to London to make arrangements for this Translation.

Four years after the first publication of the work, the author set out again for Syria, under the assumed name, this time, of 'ALI UTHMAN, and was, it is said, accredited as a political agent by the French Government. He, however, only reached Aleppo,—where he died unexpectedly on August 30th, 1818, not without suspicion of having been poisoned. From the rumours above alluded to having reached the ears of Burckhardt in 1814, there would seem to be some ground for this suspicion; for seeing that comparatively few years had elapsed since the former visit to Aleppo,—years at a period of his life when men alter least in personal appearance, the change of name would rather have deepened suspicion than averted it, in the mind of any native of the place, who might fancy he traced a resemblance to the 'Ali Bey' of his recollection. The fact that, on the event of his decease, his papers were seized by the Pâshâ of Damascus, must ever tend to throw a cloud of apprehension over his fate. This second enterprise of his, brought thus to a speedy and untimely termination, has been without advantage to literature.

The value of 'Ali Bey's contribution to our knowledge of the Ka'ba and its ceremonies, ranks fairly high; for Burckhardt, who was singularly gifted with the faculty of recording with precision whatever came under his notice, attests that though

'Ali Bey's description of Makka was incorrect in some parts, and his antecedent information somewhat superficial, yet he had no reason to doubt his general veracity. Indeed, Burton is of opinion that the writings of this traveller have not been duly appreciated,—partly from his having been “a spy of the French Government,” and partly because “his disguise was against him;” though how this latter explanation applies is a point which Burton might have made a little more clear.* His peculiar political situation, on the other hand, joined with his religious profession, led to his enjoying opportunities of making many observations which would not fall in the way of travellers less favourably circumstanced. His volumes are, consequently filled with various and interesting information,—though the style is a little tinged with an air of exaggeration somewhat excusable in a person placed in circumstances so exceptional.

We now come to “the Prince of Arabian travellers,”—the SHAIKH IBRAHIM, whose qualifications as a visitor to Makka have, by common consent, never been surpassed, and whose narrative contributes more to our knowledge of learned detail than the narrative of any other traveller thither, whether before or since his time.

In saying this, we mean no disparagement of Burton, whose sojourn in the Hijâz was much shorter than Burckhardt's, and who himself says, with rare magnanimity,—‘I will do homage to the memory of the accurate Burckhardt, and extract from his pages a description which shall be illustrated by a few notes.’ How much more noble is the tone of this, and how much nearer the truth, than the contemptuous sneer of that garrulous and unprofitable old egotist, the far-wandering traveller Joseph Wolff.

When a man, furnished by nature and by education to the extent to which Burckhardt was, goes to a *terra incognita* like the Holy Land of Islâm, he sweeps all before him, and so clears the way for others that they get but a gleanings here and there of things that escaped his notice. But notwithstanding the ‘homage’ which Burton so justly does to the memory of his great predecessor, it must be said that his own writings contain many improvements on Burckhardt, and the indication of some errors of fact which somehow crept into Burckhardt's manuscript.

Johann Ludwig Burckhardt was a native of Switzerland,—

* Burton may allude to his having travelled in the style of ‘a prince,’—a mistake that would have the inevitable effect of segregating him from the ordinary people and thus debarring him from many opportunities of gaining valuable information.

having been born at Lausanne or (as some say) at Kirchgarten, near that place, on November 24th, 1784. Descended from one of the ancient families of Basle, his father (in consequence of mistreatment in the military service of the French conquerors) entered a Swiss corps then serving in Germany in the pay of England. This would seem to have been a predetermining cause of the turn which young Burckhardt's life eventually took; for he, too, disapproving of the policy of the French Republic in his Fatherland, resolved not to engage in the service of his country.

Having acquired the usual classical education at Neuchâtel, our author was, in 1800, placed at the University of Leipzig, and after a residence there of two years, he concluded his studies at Gottingen. Here he won the good opinion of the celebrated Blumenbach,—then one of the professors there; and when, in the summer of 1806, Burckhardt went to England to continue his studies, he took with him a letter of introduction from this patron, to Sir Joseph Banks,—at that time an active member of the Committee of the African Exploration Society.

It happened that some years previously, this learned body had sent a Mr. Hornemann with a commission to penetrate into Central Africa from the north, by way of Fezzân; and as they had now given up all hope of receiving intelligence from him, they resolved on sending another traveller to pursue the same errand in the same direction. In 1808, Burckhardt—led on by a love of enterprise and adventure that was natural to him—offered his services to the Association; and as he had already a friend in one of the most influential of its members, his offer was accepted. In the meantime he had been undergoing special preparation by a course of training in London and Cambridge,—where he studied chemistry, mineralogy, medicine, surgery, and astronomy. He also devoted particular attention to the study of the Arabic language, which he learned at Cambridge to read, write, and speak. He, moreover, inured himself to all manner of hardships and privations,—to hunger, thirst, and exposure to bad weather. He likewise suffered his beard to grow, and accustomed himself to many of the other habits of Eastern peoples.

At length, in January 1809, he received his instructions from the Committee; from which he learned that he was to proceed first to Syria, where he was to remain two years to perfect himself in Arabic and kindred subjects. He was then to proceed by way of Cairo to Mûnzûk, in Fezzân, whence he was to cross the Great Desert to the Sûdân, and explore the sources of the Niger.

There is considerable diversity of statement as to the time of

Burckhardt's leaving England,—the dates varying from February 14th, 1809, to March 20th, and even the month of April of that year. All, however, agree that he arrived in Malta in April 1809. Thence, in the October following, he proceeded to Aleppo, for the purpose of following the course of study prescribed by his Committee; and that he might the better accomplish this object, he now changed his name to 'Shaikh Ibrâhîm ibn 'Abdû'l-lâh,' and assumed the guise of a Musalmân.

During the long period of his residence in Syria, he visited many places of interest in that country,—such as Palmyra, Damascus, Lebanon, etc.; and after passing two years in that part of the East, he had got to be so proficient in the Arabic language—including the colloquial dialects of the common people—that his speech is said to have been not distinguishable from that of the natives around him; and that he could, as afterwards appeared, travel undetected in the disguise of an Oriental trader. His mastery of the contents of the Qur'ân and of the native commentaries on the Islâmic religion and laws, was on one occasion put severely and unexpectedly to the test.

It appears that a doubt had been expressed as to his being a real and orthodox Muslim; and to remove that doubt, he submitted to a critical examination in the Qur'ân and the theoretical and practical parts of the Faith, at the hands of two of the most learned of the local Muhammadan jurists. He came out of this trying ordeal so well, that his examiners not only pronounced him a true and faithful Muslim, but also a very accomplished proficient in their law. Here, however, a difficulty arises, which the interests of accuracy require us to notice. Notwithstanding the success of Burckhardt in this instance, there is reason to fear that at least one of his editors, Colonel Leake, laboured under a manifest obliviousness in respect of the uniformity of the success which attended Burckhardt's efforts to secure his his own incognito.

In the first place, in the 'Life of Burckhardt,' prefixed to his *Travels in Nubia*, Colonel Leake says that Burckhardt's 'knowledge of the Arabic language and of Mohammedan manners, enabled him to assume the Musalmân character with such success, that he resided at Mekka during the whole time of the pilgrimage, and passed through the various ceremonies of the occasion, without the smallest suspicion having arisen as to his real character,'—language which, by the way, appears to imply that Burckhardt was not what he professed to be—namely, a convert from Christianity to Islam. Now, Sir William Ouseley, the editor of the octavo edition of the *Travels in Arabia*, obviously sympathized with this statement of Colonel Leake's; for he quotes it approvingly, and without criticism.

These writers, however, are strangely oblivious of a portion of Burckhardt's work which they had both of them read, and which one of them edited. Speaking of one of the officials in the retinue of the notorious Muhammad 'Ali, whose guest Burckhardt was at Tâif for a few days, the great traveller writes,—‘I am still ignorant of the Pâshâ's real opinion concerning my sincerity in professing the Mohammedan faith. As to the Kadhy, it struck me that his behaviour towards myself was connected with an intention of accusing the Pâshâ, on his return to Constantinople, of having protected a Christian in his visit to the holy Cities,—a crime which would be considered unpardonable in a Pâshâ. Mohammed Aly, after his return to Cairo, took frequent opportunities, and indeed, seemed anxious to convince Mr. Salt and Mr. Lee, His Majesty's and the Levant Company's consuls, as well as several English travellers of note who passed through Cairo, that he knew perfectly well in the Hedjaz, that I was no Moslem, but that his friendship for the English nation had made him overlook the circumstance, and permit me to impose upon the Kadhy!’ It is evident that when Colonel Leake wrote the statement to which we have taken the liberty of taking exception, he must have seen this statement of Burckhardt's; for it is in allusion to this very period when the traveller was brought into contract with the Egyptian Pâshâ—namely, when Muhammed 'Ali was in the Hijâz—that the Colonel's statement was made.

Now, without for a moment wishing to detract from the well-deserved celebrity of Burckhardt, we have felt it important to point out, that his own account of the matter shews that the statement we have just quoted from enthusiastic editors is a little strained. There are, as a matter of fact, several other passages besides the one just cited, which shew clearly that the genuineness of his ‘conversion,’ was a matter of serious doubt even among the Arabs at Makka, and which by his own shewing, occasioned him very great solicitude on different occasions. Indeed not only the great traveller himself, but Burton also says enough to corroborate the assertion of Palgrave,—that the idea of effectually eluding suspicion as to one's real identity, is a mistake and a delusion. ‘I do not believe,’ says Palgrave, ‘that *any*, who are rumoured to have followed this plan’ (that of disguising themselves) ‘in Mahometan countries, really passed undiscovered. Some instances of detection, and of detection followed by fatal consequences, are recorded. Others more lucky, have returned to boast of the impunity with which they had made a jest of oriental religion, and to publish their imaginary success. But I have strong reason to believe that in no case has the result been exactly what was imagined. Of one or two alleged Dervesh-personifiers, I have heard much

from the natives of the very land that was the scene of their fancied incognito, and was assured that they were everywhere recognized, often tricked, and only saved from worse, by the prudent politeness and dissembling courtesy of those amongst whom their good luck had cast them. Yet those were described as men of no ordinary address and long acquainted with the East. And I can hence hardly imagine that others, gifted with less aptitude, and of more superficial acquirements, can have obtained better fortune in their disguise.' Of all this we have still further corroboration in the words of Burckhardt himself. On one occasion he read some portions of Antar's 'Golden Poem' to some Badawis. As a proof of the excellence of the poem, it is said that these wild desert men were in ecstasies of delight: not so with the proficiency of the reciter, for he tells us that they were so enraged at his erroneous pronunciation, that they 'tore the sheets out of his hands'! This is but simple matter of fact, which cannot be discounted by the kindly sentiments of Burckhardt's editors. And on the whole case we learn that we must not form too high an opinion as to the gullibility of the unlettered Arabs; and that where so accomplished a linguist as Burckhardt failed, it is vain for ordinary men to expect to succeed in bamboozling them. We learn even from Burton himself, that his incognito was known from first to last by the *enfant terrible* who served as his attendant, and who (after accounts were squared!) shouted out the fact in the streets of Jidda.

To return, however, to Burckhardt and his examination.

The chief object of his sojourning at Aleppo being thus attained, he set out for Cairo with the intention of joining a caravan and travelling to Fezzân. He arrived at Cairo in the beginning of September 1812; and while there awaiting the caravan, as there was no prospect of a favourable opportunity of going to Fezzân, he undertook a journey up the Nile as far as Mahass. He easily perceived that it would prove of great advantage to him in executing the commission with which he had been entrusted, if he were to go to Makka and earn the title of 'Hâjî' by performing there the rites of the pilgrimage. From Mahass, assuming the character of a poor Syrian trader, he made a journey through the Desert of Nubia (which Bruce had traversed before him),—passing by Berber and Shendy to Suâkin, on the western shore of the Red Sea. From this place he embarked for the purpose of engaging in the rites of the pilgrimage, and landed at Jidda on July 18th, 1814. He thus spent the hot months in the Hijâz.

Burckhardt did not go direct from Jidda to Makka, but proceeded to Tâif,—a distance of some five day's journey inland from Jidda. Here he found Muhammad 'Alî, who after

ing taken possession of the Hijâz, in which is situated the Land of the Faith, was preparing for an expedition into the country of the Wahhâbîs. The Pâshâ, who had Burckhardt at Cairo, received him favourably. He was, over, so fortunate as to obtain a supply of money from physician of Tûsûn Pâshâ, Muhammad 'Ali's son. During his journeyings in the East, Burckhardt travelled an Englishman who had become a proselyte to the Muhammadian faith. It is probably to this circumstance that we owe the statement, that Burckhardt was 'one of the only three Englishman who ever visited Makka.' The fact is, that poor Pitts is the only Englishman ever known to have gone there unless we are to except Mr. Bicknell, of whose nationality we have no information. As a rather remarkable instance, shewing the circumspection with which the statements of learned and travelled men ought to be received, we find that even Washington Irving in his *Life of Mahomet*, mentions Burckhardt, that he 'gained admission into Mecca in a small boat, and at great peril,—admittance being prohibited to all but Moslems,'—a statement which leaves the impression that Burckhardt visited Makka *à la* Burton. Inasmuch as Pitts went by compulsion—that is, was taken in the character of a slave—it may be said, barring the possible exception just mentioned, that English enterprise has yet to win the honour (if honour it is) of sending one of England's own sons to explore what (as far as *bonâ fide* English travellers are concerned) is still a *terra incognita* to travelled Englishmen. To affirm that this honour has already been won by Burton is to say that the only Englishman who ever went to Makka was an Irishman. The same if this distinction is claimed for Mr. Keane,—who is also, we believe, a native of the Emerald Isle.

After a short sojourn at Tâif, Burckhardt proceeded to Makka, and in the character of a pilgrim of the Muhammadan faith, performed the journey to 'Arafât (the perihelion of the Hâjî) on November 25th, 1814. He went through the whole of the prescribed ceremonies without (as far as he was aware) awakening in the minds of those similarly engaged, any suspicion as to his motives or identity. He appears to have been in the lower Hijâz—hovering about between Jidda, Tâif, and Makka—some four months at least; for it was not until January of the following year (1815) that he made the visit to Madina,—a city of which, up to that time, still less was known in Europe than of Makka. At Madina he fell ill; and when, after some months, he recovered strength sufficient for travelling, he went to Yanbu',—whence he embarked for Tûr, in the Sinaitic peninsula. Thence, in June 1815, he returned by Suez to Cairo in a state of great physical exhaustion, after

enduring privations and sufferings of the severest kind, and after an absence from Cairo of nearly two-and-a-half years,—of which time he passed nine months in Arabia.

The details of this journey of Burckhardt's furnished the most complete account of the Hijâz and its two Sacred Cities that had ever been received in Europe. To Burckhardt, however, the cost of the journey was great; for the hardships he had undergone in Arabia had fatally undermined his constitution. He never recovered from the effects of the deleterious climate and the unwholesome water of the country.

In the spring of 1816, Burckhardt journeyed to Mount Sinai and the Ælanitic gulf,—whence he returned to Cairo in June of that year, and made preparations for his intended expedition. For several years past no caravan from Fezzân had made its appearance at Cairo. Now, however, one was expected; and as Burckhardt intended to make his journey thither by the returning caravan, he remained at Cairo. In the autumn of 1817, it became known there, that among the pilgrims collected in Makka that year, there was a party of Maghribiyyans who were to return to their homes in Western Africa by way of Cairo and Fezzân, and it was believed that this caravan would start from Cairo about December. Burckhardt was not destined to join them.

In the early part of October he fell ill of dysentery at Cairo, and there expired on the night of the 15th or 17th of that month. As a 'true and holy Shaikh' he was interred with all funeral honours by the Turks, in the large Muhamnadan burial-ground in that city. The cemetery lies outside the Bâbâ'u'n-Nasr,—the stern old massive gateway which opens upon the Suez road.

The personal character of this distinguished traveller is said to have been such as to have commended him to all with whom he came into contact,—not only among Europeans of his acquaintance, but also among the Christians and Muhammadans of the lands in which he travelled. His loss, at so early an age, was consequently deeply deplored in the interests of geographical science—not in England alone, but also among learned men throughout civilized Europe.

The account of Burckhardt's decease which Burton, forty years later, found to be current in Egypt, serves to illustrate well the singularly weird character of the credulity of Muhammadans in all that appertains to the subject of religion. After returning (the story goes) from Al-Hajar, Burckhardt taught *Tajwîd*, 'the Art of Chanting the Qur'ân,' in the Azhar mosque at Cairo. Here he was suspected by the learned to be at heart 'an infidel'; that is, a non-Muslim. They accordingly examined his person, and (sure enough!) they found the sacred

Kalima written, in token of abhorrence and contempt, on the soles of his feet! Hereupon, the Principal of the mosque, in a transport of holy indignation, decapitated him with one blow of his sword!

Burckhardt carefully transmitted to England, from time to time, his Journals and Notes, as also a very copious series of letters: so that nothing which appeared to him to be of interest in the various journeys he made, has been lost. He kept himself in constant communication with the Society he served; and the Committee, as occasion arose, laid his communications before the public, with appropriate maps. His collection of Oriental manuscripts—numbering, according to some, 350, according to others, 800—he bequeathed to the library of his own University town of Cambridge. Since his decease the contents of his papers have, with a great deal of pains, been classified, and made up into a series of most valuable volumes. In justice to Burckhardt, however, we are bound to say that his editors have not, in all instances, succeeded in preserving the continuity of the subject-matter: so that when the reader imagines that he has seen all that Burckhardt had to say on a subject, he at length comes upon some further stores of information regarding it in some most unexpected connexion. His *Travels in Arabia*, the work with which we are here mainly concerned, was published in English by Henry Colburn, of New Burlington-street, in 1829, in one volume quarto, and two volumes octavo. The work has been translated into French (and published in two volumes) by Mons. d'Eyriès. We are not aware whether it has ever appeared in any other language.

Burckhardt was a born traveller and discoverer: nothing escaped his eye or his ear. His innate love of adventure was accompanied by the faculty of observation of the highest order. His writings are characterized by a scrupulous truthfulness and painstaking accuracy that are manifest at every step: they are consequently remarkable both for the authority they carry, and for the interest they awaken and which they sustain throughout. They throw much light on the geography of the countries which the great traveller visited; as also upon the manners and customs, the laws and religion, the trade and commerce, the language and history, of their several peoples; while the circumstance of his having passed in Makka the season of Ramazân adds a special interest to his account of the city and its numerous ceremonies. But that which, more than anything else, lends a permanent value to Burckhardt's visit, is his presence there during the famous conflict between the Wahhâbîs and the Turks. His intimate relationship to the original sources of information, render his historical notices of contemporary events, and his 'Notes' concerning

the Arab tribes in general and the Wahnâbîs in particular, the best historical record on those subjects, and constitute an authority from which there is no appeal. He has been said, by some writers, to have been the first European who visited the Ka'ba since the founding of Islam,—an error against which, in justice to his predecessors, we ought to guard. It has also been said that since his time the place has been visited by several Europeans in the pay of Muhammad 'Ali, the Egyptian Pâshâ, whose memory Burckhardt, with very good reason, has made odious. This we are not in a position either to affirm or to deny; for no account of the travels of any such persons has, to the best of our information, ever appeared in print in any form. The only European we know of as having been in the Pâshâ's service, was Thomas Keith (a Scotsman) *alias* 'Agâ Ibrâhîm.' But though this man held an important post at Madîna, we have not met with any evidence that he ever went to Makka, much less that he ever performed the pilgrimage. He died in the Hijâz. The writings of Burckhardt may be quoted with confidence to Muhammadans, because he is held by them to have been a convert to their Faith, and will therefore not be held to have been the subject of religious antipathy or bias. He may, moreover, be quoted with all the more confidence from the fact, that his acquaintance with Islâmîc history and dogma surpasses immeasurably that of most adherents of the Faith, and because of his acknowledged and transparent excellence in the matter of learned precision and manly simplicity. With some acquaintance with the subject of which we write, we may say that we have yet to learn that there is any Muhammadan writer, ancient or modern, who can be quoted with greater safety than he.

The next European of whose visit to Makka there is any record, is HAJI MUHAMMAD, who is, we are bound to confess, the least satisfactory of all in the list. This was the name assumed by Giovanni Finati,—a native of Ferrara, in the north of Italy. Trained for the profession of a priest of the Romish persuasion, he early conceived an aversion to the whole subject of religion, and in the year 1805 joined the Italian army. He appears, according to his own representation, to have been a person of anything but creditable morals; and in course of time, in company with some fifteen other Italians, he deserted to the Turks at Antivari, in Albania. There they lodged in the mosque, and eventually professed themselves Musalmâns.

Finati now assumed the name we have mentioned, and the party afterwards removed to Scutari in the service of the Turks. Unable, by reason of his own criminal conduct, to continue there long, he made his escape to Egypt,—the El Dorado

as Burton says, to which all the poverty-stricken Albanian adventurers were at that time wont to flock. At Alexandria he voluntarily enlisted as an Albanian private soldier, and proceeded thence to Cairo. In the early part of 1814, he joined a reinforcement of Albanians, and assisted at the siege and capture of Kunfurdah, and was present at its recapture by the Wahhâbîs. From a variety of causes he again deserted, and then proceeded on the visit to Makka. There is no evidence that he made notes of what he saw there, or that he had any but the most idle purpose in going.

Beyond the fact that Finati was a man who had roamed a great deal, there is nothing of interest concerning him which it falls within our purpose to record. He cannot be regarded as 'a traveller' in any important sense of the word; for he was uneducated, lacking in curiosity and enterprise, and not endowed with the faculty of observation to any degree worth mentioning. Burton well says of him, that he appears to have been a man who, under circumstances that were favourable, contrived to learn as little as possible. Through long disuse of the art of writing, he at length became very slow in the use of the pen: but he found in London some one who took down his story in Italian; and in 1828 this was translated into English by Mr. William John Bankes, who, whenever necessary, consulted the author personally, and thus secured perhaps a measure of accuracy. The work was entitled *Narrative of the Life and Adventures of Giovanni Finati*, and was published by Mr. John Murray, of Albermarle street, in 1830, in two volumes foolscap octavo. As one of the indications of the uneducated nature of the man, he nowhere tells us in what year his visit to Makka took place. It was about the time of Burchkhardt's visit,—most probably in 1815.

The next European, SHAIKH 'ABDU'L-LAH, who ran the gauntlet of this most dangerous journey, was a native of one of the British isles,—Richard Francis Burton.

This highly useful and far-famed traveller was born at Galway in 1821. He was intended for the ministry of the English Episcopal Church, and with this view he was sent to study at Oxford. But he was so desirous of military service, that in 1842 he went to India,—having obtained a commission in the Indian army. During those periods when he was not on active service, his enthusiastic and enterprising nature led to his occupying his leisure in various ways that contributed to his own improvement and the information of his fellow-men. In this spirit he was led to occupy his furlough in 1853 by visiting the Sacred Cities of the Hijâz.

Though he was influenced by a variety of secondary objects

Burton's primary and all-absorbing purpose was to see, with his own eyes, that Holy Land of the Muslims of which as yet so little comparatively was known. Having obtained from the Royal Geographical Society of London the means of travel, Burton (in order to maintain his incognito from the first) dressed himself in the attire of a Persian prince before embarking at Southampton, and he occupied the fortnight of the voyage thence to Egypt in acquiring as much as possible of Oriental manner. His marvellous linguistic faculty and power of imitation, together with a countenance which, under the disguise of an Oriental gentleman, would (to judge from his picture) easily deceive the peoples with whom he met in Arabia and elsewhere, completely secured him from exposure,—and, as he believes, from detection (excepting by the promising youth already alluded to).

Commencing with the Persian title 'Mirza,' he found it convenient, before starting from Egypt, to assume the more impressive title of 'Shaikh 'Abdu'l-lâh.' In order moreover to be prepared for the Eastern practice of asking a man about his family-connexions, his whereabouts, his name, etc., Burton gave out that he was a Pathân (the Indian appellation of a Native of Afghânistân), that he was born in India of Afghân parents, and educated at Rangoon; and that he was afterwards sent to wander (as men of the Afghân race frequently are) from early youth. To sustain this character requires a knowledge of Persian, Hindustânî, and Arabic,—all of which languages Burton tells us he knew sufficiently well to pass muster: and any trifling inaccuracy would be attributed to his long residence in Rangoon. By way, moreover, of identifying himself with the theological school and party then (and now) in ascendancy at Makka, he called himself an adherent of the school of the Imâm Shâfai'i—and by implication, of course, a member of the Sunnî sect. He would thus be spared any unpleasant jarring with the local authorities at Makka. Burton thus executed his perilous enterprise as a born Afghân and a born Muhammadan; and this double disguise he sustained throughout.

For the purpose of the journey with the pilgrim party from Cairo to Makka, Burton professed the knowledge and practice of medicine, and passed under the title of 'Hakîm Abdu'l-lâh'; that is, 'Dr. Abdul.'

By all these accomplishments and contrivances, he was well guarded against the danger of detection by any one he might meet with hailing from Afghânistân. There is, however, an exaggerated notion abroad regarding Burton's success in eluding suspicion. Almost at the beginning of his journey, when he had travelled no further than Suëz, he was, he tells us, 'led into an imprudence which might have cost him dear.'

He allowed his fellow-pilgrims to get sight of his sextant! 'This,' says he, 'was a mistake. The boy Muhammad, as I afterwards learned, waited only for my leaving the room, to declare that the would-be 'Hâjî' was one of the infidels from India, and a council sat to discuss the case,'—and so on. After he had returned to Egypt from Makka, he found that 'the general report was, that an Englishman, disguised as a Persian, had performed the pilgrimage, measured the country, and sketched the buildings.' At length the suggestion was openly ventured that Burton was not a Musalmân! The surmise was thrown out by the boy who had been his attendant through the whole journey and had closely watched his proceedings,—not, however, until the journey was over, the lad was paid his arrears, and our traveller was about to embark at Jidda. The evidence thus afforded by Burton, tends to corroborate the observation already quoted from Palgrave.

The results of this journey Burton gave to the world in three handsome volumes published in London in 1855, by the Messrs. Longman, Brown, Green, and Longmans. In 1857 a second edition was issued by the same firm in two smaller volumes unabridged; and in 1879 the work reached its third edition, and was then published, (with many important omissions, a few corrections, and some misprints) in one thick volume, by William Mullan and Son, of London and Belfast, under the title (in each case) of *Personal Narrative of a Pilgrimage to El-Medinah and Meccah*. The value of the work is considerably enhanced by the several maps, diagrams, and woodcuts it contains.

Of all the accounts written of these two cities, that of Burton is the most fascinating and the most vivid. His account of Madina is by far the fullest account ever written of that city by a European,—Burckhardt having been, as already observed, dangerously ill during the whole time of his sojourn there. The traveller who stands nearest to Burton in the interest of his narrative, is Burckhardt,—whose work, however, regarded not from the stand-point of the general reader, but from the stand-point of the learned, is not surpassed by Burton's. To Burton we owe nearly all that is known of the city which afforded an asylum to the Prophet in the days of his adversity, and in which at length he died; for it unfortunately happened that owing to the serious illness from which Burckhardt suffered during the time he spent in Madina, which confined him nearly the whole time to his bed, that lamented traveller was unable to collect full and satisfactory information regarding it during his sojourn there.

The next in the list is ABU'L-WAHID,—the assumed name of Mr. Bicknell,—a military gentleman known to Burton.

This traveller made the journey in 1862,—travelling from Cairo to Suez, and thence (like Pitts) to Jidda direct. As he performed the ceremony of 'the Standing on Arafât' on June 5th, he too, like Burckhardt, had a taste of the notoriously oppressive heats of Makka in the warm months. He did not visit Madîna, but brought his journey to a close as soon as the ceremonies of the Pilgrimage were over.

The account of Makka and its ceremonies given by this traveller is very brief and compressed, and appears as an appendix to the third edition of Burton's work. It contains but little that had not already been recorded by previous travellers, and is mainly useful as confirmatory of their statements. Much more exact, but scarcely more full, than the account given by Finati, one could wish that this traveller had left on record a narrative more proportionate in interest and in bulk to the personal discomforts he appears to have undergone in the hazardous enterprise.

The last European who from pure curiosity to visit the birth-place of Islâm, made the perilous journey, was MUHAMMAD AMIN,—a young man of about twenty-four years of age, hailing (we believe) from Ireland. The name we have given was the assumed name of Mr. F. J. Keane, who appears to have travelled a great deal by sea and by land in both hemispheres, and at length found himself (in the capacity of mate of an English ship) at Jidda. While here, he determined to get a sight of Makka, and with this view he left his ship and began by keeping a coffee-shop at Jidda, as a Muhammadan,—till such time as he should become *au fait* in the language, manners, and customs of the people around him, and (in particular) till he knew how to recite the prayer-forms, how to behave in mosque, etc. He then engaged himself as a servant to a rich Muhammadan merchant from India, and travelling with the retinue, sometimes walking, sometimes sharing a camel with another servant—he made the five-and-forty miles or so between Jidda and the Sacred City. Here he remained for a series of months, during which long period he had some very narrow escapes of detection.

When his purpose was fulfilled, this traveller published an account of his pilgrimage in a volume entitled *Six Months in Meccah*, which was published in 1881, by the Messrs. Tinsley Brothers, of London,—the author giving at the end a promise of an account, in some future volume, of his visit to Madîna.

This work is of considerable interest to the general reader; but beyond merely confirming what was already known, it will not be found of much value to scholars. There is, besides,

a distinct tinge of religious antipathy, and an occasional coarseness of expression which the reader learns to regret. The frequent application, moreover, of the term 'nigger' to the people with whom he met, becomes so unpleasant that it may be hoped that the writer will not allow so needlessly hurtful an expression to appear in future editions of his exceedingly interesting work. A very important feature of the book is the discovery by this traveller of an Englishwoman in Makka, who had resided there for the long period of twenty years. She passed in Makka by the name of *Zorah Begum* ('the Lady Venus'), and soon after Keane's departure, returned to India in company with the family of Muhammadans with whom she had been residing. The story of this poor woman forms quite an affecting feature of the book.

But to scholars, the most noticeable feature of Mr. Keane's visit will be the fact that, on that occasion, the *Waqfa*, or 'Standing on Arafât,' took place on a Friday—viz., on December 14th, 1877,—the occasion of the *Waqfa* occurring on this day of the week deriving its interest and importance, in the estimation of the Faithful, from the fact that it was on this day that the *Waqfa* occurred on the occasion of the Prophet's last pilgrimage. Of all the European travellers who have ever yet visited Makka at Pilgrimage-time, Keane is the only one who has earned the distinction of being present on the occasion of what is, on this account, known as the *Hajjul-Akbar*, or 'Great Pilgrimage.' But beyond the already well-known fact that on the occasion of this coincidence the crowd is larger than usual, this traveller says nothing that could lead one to suppose that there is any variation in the ceremonies of this as compared with the ordinary yearly Hajj. It is not improbable, however, that allusion may be made to the point in the 'sermons' preached on the occasion, and especially in the chief one (which is delivered on 'Arafât on the gala-day of the Hajj). Another thing that lends a special interest to his work is that he was one of the only three of the travellers who had the opportunity of passing in Makka a portion of the month Ramazân,—the other two being Burckhardt and Pitts.

This completes the list.

Various attempts, however, have at different times been made, by other persons than those we have enumerated, to gratify curiosity by seeing for themselves this famous *terra incognita*; but from different causes they have failed to give to the world any information beyond what we already possess.

The earliest known, of those who come under this head, is Shaikh ibn Batûta,—who performed the Pilgrimage as long

ago as 1332, and afterwards left an account of his adventures. The work was translated into English by the learned Samuel Lee, Professor of Arabic in the University of Cambridge; but it contains but few facts concerning Arabia. As for Makka, this enterprising traveller's whole account of it is—'May God ennoble it!' His remarks regarding Sana'a, Aden, Masqât, and other interesting places he visited, are equally barren.

The next of this class is Seetzen, a German traveller, said by Wolff to have been a person of high talent. He was in Makka during the time of the Pilgrimage, in or about the year 1806, under the protection of a Moorish merchant. He published his account in a work entitled *Les Mines d'Orientales*; but his stay at Makka was short, and his description of it adds nothing to what has already been said by 'Ali Bey and Burckhardt. Considering the extent of Seetzen's journeyings and the surpassing interest of the places he visited, he has not contributed to our knowledge so much as might have been anticipated,—though the book he wrote is of considerable size. His purposes seem to have been thwarted: thus, he passed through Idumæa in 1806, where he 'expected to make several discoveries; but the fates decided otherwise.' His account of Sana'a is highly laudatory,—it being, according to him, superior to most cities which he had seen in Palestine, Syria, or Arabia.

The third of this class is Captain Sadlier, who, in the year 1819, crossed the continent of Arabia from the Persian Gulf to the Red Sea, a distance which cannot be less than seven hundred and fifty miles. In that year he made an attempt to enter Makka; but he wore a Frankish costume, which proved fatal to his project as regards both Makka and Madina. At what period of the year he made the attempt—whether at the Pilgrimage-season or not—and what were the exact circumstances, we have been unable to ascertain. Sadlier afterwards wrote an *Itinerary* of his travels, which we have not seen. He held in Arabia a commission from the British Government to coöperate there with the Egyptians in their attempt to subdue the Wahnâbis; and this appears to have been the occasion of his visiting the country.

Another abortive case is that of Dr. George A. Wallin, Professor of Arabic in the University of Helsingfors, in Finland. He visited Makka in 1845, just eight years before Burton, under the *nom-de-plume* of WALIU'D-DIN, and actually succeeded in performing the Hajj: he is hence known as 'Hâjî Wali.' But he was prevented from taking notes by reason of the very perilous circumstances in which he found himself, and by what he describes as 'the filthy company of the Persians.' From the way in which Palgrave attests the

accuracy of the statements made by this traveller concerning other parts of Arabia than the Hijâz, it is impossible not to regret the absence of a written account of his observations in the Makkan territory.

Burton speaks of a well-known French traveller, Mons. le Comte d' Escayrac-Lautune, who was living at Cairo as a Native of the East, and preparing for the Pilgrimage, at the time when he was himself similarly occupied in that city. He, however, unfortunately for his project, went to Damascus, for the purpose, apparently, of proceeding to the Hijâz by the Damascus Caravan. While he was there, some disturbance arose which compelled him to resume his nationality; and thus an end was put to his enterprise.

One European—the only one Burton says he ever knew of who attempted to do so—visited Makka, *mirabile dictu!* without professing himself a Musalmân. It was Mons. Bertolucci, the Swedish Consul at Cairo. This man succeeded in persuading the Badawî camel-drivers, who were accompanying him to Tâîf, to introduce him in disguise. This journey, too, was unprofitable as far as literature is concerned; for Bertolucci confesses that terror of exposure prevented him from making any notes. The case serves to illustrate what has been said,—that non-Muslims have crossed and re-crossed, at different periods the Sacred Territory in all directions without detection, and that there appears to be an understanding that not much harm is done, provided such persons are taken by 'the upper road,' so that their eyes defile not with their glance the Ka'ba itself.

This completes our account of the European travellers who have visited Makka. We regret that owing to our lot being cast in a land far removed from the great Libraries of Europe, we have not had the opportunity of seeing any of the works of the writers mentioned in the list immediately preceding this paragraph. But from what has just been said, it is evident that the loss is not great. There is reason to fear that the attempt to visit Makka, and other parts of Arabia, in the interests of science and antiquarianism, has been made by some who have perished in the attempt. Such, at least, is the boast of the Arabs. It is terrible to think that any man should assume, from whatever motive, the profession of a religion which he does not believe, and be visited, in the very act, by detection and death.

In the series of sketches we have given, we have several times had occasion to note the opinions of the travellers respecting the writings of their predecessors in the field. There is something of chivalry in the tone of their criticisms of each other, and an

evident absence of what might, for the occasion be called, professional jealousy. And from these criticisms of theirs, the reader is able to arrive at a pretty clear conception of the qualifications and mistakes of each, and to rank them in the proper order in respect of trustworthiness. No one could hesitate in placing Finati at the bottom of the list, in respect of fulness, authority, and accuracy ; while for some reasons, the case of Pitts—considering his disadvantages—appears to be the most wonderful of all. The errors of Burckhardt are for the most part pointed out by Burton ; and yet there are mistakes even in Burton's famous work, which have been allowed to continue to appear even down to the latest edition. Upon the whole, the cases of all of the travellers shew how difficult it is to be strictly accurate, even when one is an eye-witness of the thing he describes, and is influenced by the best intentions, and has every motive to study exactitude of statement. It is matter for congratulation that so many as three in the list were present in the Sacred City during the whole or part of 'the holy month of Ramazân' ; and still further, that one at least was there on the occasion of the Hajju'l-Akbar.

It is not our business here to enter into the delicate subject of casuistry. The conditions, however, on which alone the journey to Makka might with safety be made, are such as but few men would be found willing to comply with. Over and above the physical discomforts which, to a European, the journey necessarily involves, Burton expressly tells us, as lately as 1879 (at which time he gives us his ripest judgment), that the one condition of safety from violence in the case of a person not a Muhammadan performing the journey, would be the declaration at Cairo or Damascus, before the civil and ecclesiastical authorities, that he embraces the Islâmic Faith. Concurrent testimony is borne by Wellsted. Of course, if a man is sincere in such a declaration (as Burckhardt is held by some to have been, and as he himself professed to be) there is no deception practised. But how a man professing himself a Christian, and yet making such a declaration, could sustain the disguise without being aware within himself that he was acting and speaking in contrariety to the law of God, is a phenomenon in psychology which we have not yet seen explained. Indeed, over and above the patent fact that the character throughout is a double one, whoever may sustain it, even Burckhardt confesses to having had to resort to conscious *falsehood* in order to preserve his incognito :—'If any question,' says he, 'arose about my origin, I stated myself to be a reduced member of the Mamelouk corps of Egypt, and found it easy to avoid those persons whose intimate knowledge of that country might perhaps have enabled them to detect the falsehood' (vol. i, p. 184).

To us it seems that the spirit of adventure, the passion for travel, the natural curiosity to stand where no other man has had the courage to stand, a hankering after the prohibited, a 'sneaking affection' for the element of danger,—these, and kindred sentiments have, some or other of them, more to do with the self-imposed task of 'going to Makka' than either the interests of science or the concerns of religion. That really intelligent men, as most of the travellers were, should have felt themselves led on by the sincere conviction that the visit to Makka was enjoined upon them by Divine command, and was the sure and only way to secure the forgiveness of sin and a title to heaven, is not for a moment admissible; and if they were not possessed of this conviction, they were not 'Musalmâns,' as they professed to be. But when, in truth, men have been seized by such aspirations as those we have enumerated, moral considerations are apt to lose their keenness. If the adventurous men who run the gauntlet of the Sacred Cities of Islâm, would but make a clean acknowledgment of this, it seems to us that they would be less likely to imperil their own self-respect. The key to this, and to all similarly perilous adventures was, as we believe, given long ago by a Roman poet, in one of his characteristic home-thrusts at human frailty,—*Nititur in vetitum semper, cupinusque negata*—"We always strive after the forbidden thing, and desire things denied!" 'What remained for me,' says Burton (i. 22) 'but to prove, by trial, that what might be perilous to other travellers, is safe to me. The *experimentum crucis* was a visit to El Hejaz,—at once the most difficult and most dangerous point by which a European can enter Arabia.' And again (ii. 186),—"But, to confess humbling truth, theirs," (he is alluding to his Muhammadan fellow-travellers) 'was the high feeling of religious enthusiasm; mine was the ecstasy of gratified pride.'

There is, as the reader will have perceived, an essential difference between the circumstances of Pitts' visit and those of the visits of the other travellers: *he* was not guilty of voluntarily avowing his relinquishment of his religious belief, or his adoption of the religion of Makka. His visit was not the outcome of any desire for mere travel, or of antiquarian curiosity, or of aspiration after fame. His narration, moreover, of what he saw in Makka is accompanied by the expression of sentiments the sincerity of which it is impossible not to perceive, and which in human eyes must amply exonerate him as to all moral responsibility in respect of his visit,—amply proving, as they do, that, notwithstanding his contact through so many dreary years with the absurdities of the Muslim superstition, his mind still kept free of the moral evils which characterize that system. And to the honour of pious domestic influences,

even in the homes of the poor, it has to be recorded that there are many things which occur in the course of Pitts' narrative that reveal the care bestowed by his parents in the formation of his religious ideas. But if the visits of the other travellers had been, as little as his visit was, the result of their own choice, they too, would perhaps have interwoven with their narratives similar indications of ingenuous feeling and pious training.

Finally, we write not for the purpose of awakening in the mind of any a desire to follow in the footsteps of the travellers we have named. No very material addition to our knowledge regarding Makka and Madîna could be made by any other traveller who might now go. To contribute much worth having, would, in fact, after such men as 'Ali Bey, Burckhardt, and Burton, require such a knowledge of Arabic and so much of Oriental research as but few Europeans may ever hope to possess; for what was at one period a literal *terra incognita* to all persons not Muhammadans, has by one and another been so thoroughly subjected to observant and learned exploration that, though the Holy Land of the Muslim is still to 'Infidels' the same forbidden ground that it has been for more than twelve centuries past, there are materials at hand by which one might, for all practical purposes, become as familiar with the place as with any other locality in the world which he has not himself actually visited.

J. D. BATE, M.R.A.S.

ART. IV.—“ON THE TREATMENT OF ORGANIZED CRIME.”

IN almost every country in the world in which crime exists, and in which civilization endeavours to cope with its existence, a distinction is drawn between crime which is caused by casual circumstances, by accident, or by great and pressing want, and crime which is the outturn of deliberate forethought and of careful organization.

With the one class of crime the ordinary law is sufficient to deal: Crimes like murder, violence, theft from the pressure of hunger, and crimes involving breaches of trust, are the acts, as a rule, of single individuals; are spasmodic in their occurrence, and do not require exceptional treatment, any more than the ordinary diseases, to which flesh is heir, require special remedies affecting persons other than those who are the immediate sufferers.

There are, however, to pursue the analogy, certain classes of crimes which, like certain epidemic diseases, require a treatment differing from the ordinary course pursued in every day diseases. And, as in the cases of cholera, small-pox, and other epidemics, it is sometimes necessary to adopt a course which is exceptional, and which, to a certain extent, imposes rules on the public, compelling people, it may be, to alter the even tenor of their ways. So, in cases where certain classes of crime is found to be prevalent, an exceptional procedure is very often found to be necessary and efficacious towards the stamping out of the evil which such crime inflicts on the public at large.

With all due respect to the leaders of the present Conservative government, the Crimes Act in Ireland was a notable example of this. The history of legislation for the prevention of crime in Ireland, during the last twenty years, amply bears out the theory, that exceptional, and above all, organized crime, requires exceptional and drastic treatment; that such treatment is, as a rule, successful, and, that its abandonment is the signal for a fresh outbreak of the evil which it was expected to check. I have on my table a book, “The Recollections of an Irish Journalist,” by Richard Pigott, which amply bears out what I say. This book is written from an extreme Fenian point of view. It is a lament over the failure of the various attempts that have been made to acquire independence for Ireland. It is one of the highest tributes that could be given to the energy and foresightedness of those men who feared not to incur responsibility and to take action where action was

necessary, to prevent Ireland being the scene of bloodshed and civil war.*

In these later days, we have seen the effect of special legislation for crime. There is no question whatever, but that the power which the government assumed of changing the venue of trials for agrarian outrages, and for murder, which were the natural outcome of the teaching of certain members of the Land-League, had a great influence, not only in obtaining convictions, but also in checking crime. The power, which was never used, of holding a trial without a jury, but, before three of Her Majesty's judges, was a still greater deterrent to these ruffians who, as long as the ordinary law was in force, defied detection and laughed at the farce of a so-called judicial trial, with the certainty of a triumphant acquittal at the close of the legal pantomime. Still more recently, it has been found necessary to resort to special legislation for the purpose of countermining the diabolical schemes of O'Donovan Rossa and the dynamite section of so-called Irish patriots. The result of this legislation has been a triumph for law and order over organized crime; and, the conviction of as black-hearted a set of scoundrels as ever figured in the annals of crime. Without entering, therefore, on the methods taken for the suppression of organized crime in foreign countries, I think it is clear, from the recent history of our own country, that organized crime can be coped with and put down by the introduction of measures of procedure specially designed to meet such crime. The telegrams which we receive almost daily also bear me out in urging the danger of abandoning such a safeguard as this special procedure provides. With the abolition of the Crimes Act in Ireland, boycotting, moonlight visits, and every other form of Land-Leagueism are once more coming to the front, despite the efforts of Mr. Parnell and his party to check them. Exception may be taken to my associating agrarian crime with the Land-League. I do so deliberately, and with a firm conviction that the reign of terror through which Ireland has passed, and which seems, unhappily, to be reviving, was the immediate outcome of that socialist movement against property which has not, I am sorry to say, been confined to Ireland alone, but threatens to attack vested interests in all parts of the empire. Upon this criminal organization, called the Land-League, Mr. Parnell was borne to power. He and his followers would gladly now suppress the operations of the League, but they find they are powerless to do so. He and his friends have used the terrorism of the "village ruffian" to waft them into power.

* These was written just after the Conservative Government had withdrawn coercion. They have had to re-impose it since, with results disastrous to their existence.

The village ruffian now knows *his* power, and will not take a back seat until such a time as a successor to Mr. W. E. Forster arrives in Ireland to shew the people that the unbending spirit of a Cromwell has not wholly died out amongst English statesmen, and that exceptional measures will be used to check organized crime. To any one who considers organized crime of any description, as a disease in the body politic, requiring prompt and efficacious treatment, and one which cannot be left to ordinary commonplace treatment, it is a matter of surprise that *all* such crime is not made the subject of special procedure, and is not reduced by drastic remedies. Organization in crime, as in everything else, gives a power to the furtherance of the object with a view to which it is undertaken, which no amount of individual effort can ensure. The individual sacrifices his interests to the common object, and is ready, if circumstances so direct, to imperil his liberty for the furtherance of the project to which he and his comrades are pledged. Those who are fortunate enough to escape arrest and detection, work for the purpose of liberating their less fortunate brethren. They leave no stone unturned to ensure the release of those who have been made captive, and direct all their energies to thwart the operation of the law in bringing to punishment those who have transgressed and been found out. We have, therefore, instead of a single individual, fighting his own corner, a set of men banded together to accomplish the acquittal of those of their number who have unfortunately been detected in the carrying out of the crime, for the successful committal of which the original association has been formed.

This brings me to the subject to which I wish to invite public attention in India, and especially in Bengal, where the little experience I have acquired has been obtained. I mean the prevention of the one organized system of crime prevalent in those provinces—the crime of dacoity. That dacoity has assumed proportions more or less alarming in Bengal, is borne out by the fact that, within the last month, it was thought desirable to assemble a conference of police officers at Darjeeling to discuss the measures which might be, with the best advantage, employed towards repressing this crime. The result of the deliberations of those officers has not yet been made public, but even with the result pending, I venture to make a few suggestions, which might be deemed worthy of consideration, in the event of any decisive measures being taken for the prevention of the *one* crime with which the police have failed to grapple, and the existence of which I consider to be a blot on our administration. For the benefit of those whose duties do not lead them into any connexion with police work, I will briefly state the nature of the crime known as

dacoity. I will shew what I consider to be the reasons why justice has hitherto failed in coping successfully with dacoity, and will, with all due sense of the probable Quixoticism of my opinions, give what my limited experience has taught me to be the best means of stamping out a crime which prevails to an alarming extent in the eastern districts of Bengal, if not all over the Province. My sole object is to invite public attention to the question. My views may be altogether unpractical and wrong, but if their expression calls forth a remedy against an existing evil, though that remedy be one of a totally different nature to that which I, with great diffidence, put forward, I shall have accomplished the object with which this paper has been written. The definition of dacoity, in the first place, assumes an organization. The definition runs as follows: "When five or more persons conjointly commit or attempt to commit a robbery, or where the whole number of persons conjointly committing or attempting to commit a robbery, and persons present and aiding such commission and attempt, amount to five or more, every person so committing, attempting, or aiding, is said to commit "dacoity." For the benefit of non-professional readers, I may simply say that robbery is theft or extortion accompanied with violence. This definition will shew, at a glance, that there is a possibility of dacoity without organization, or what we know as technical dacoity, such as where an agrarian row takes place, some paddy is forcibly taken away, and the number of persons concerned in the taking away of the crop amounts to five or more. With such dacoities I have at present no concern. I wish to treat of dacoity committed by bodies of men organized for the purpose of committing robbery or housebreaking, and generally under the direction and generalship of some openly respectable individual, who is nothing more or less than the receiver of the property stolen in the forays which these dacoits undertake to carry through. This latter class of dacoity, which is, after all, the only form of real dacoity, may in its turn be subdivided into two classes—land dacoity and river dacoity. I will give a brief description of each kind derived from the recollection I possess of cases which have come officially before me. In a land dacoity the course adopted is something like this: A resident, say of the Dinagapore district, sends word to a number of his friends in the Purneah district, that he wishes to see them at the ensuing hât or market. They all come over, ostensibly to do marketing, and there a certain man is indicated as a likely subject for plunder. Arrangements are made, and on a fixed night the unhappy victim is awakened by a flare of torches and the apparition of a number of men with their heads tied, up, and more or less disguised, who administering a few blows,

varying in severity with the resistance they experience, remove every article of value out of the house and decamp. The plunder is generally brought to an appointed place and distributed. I think it will be within the experience of nearly every magistrate and police officer in Bengal, that an abject funk pervades the entire village during the sojourn of the dacoits. The plundered man is left to cope with his plunderers and the rest of the village, including the chowkedar, observes a masterly inactivity until such time as all danger is over and the dacoits have decamped with their booty. After this time the chowkedar comes gallantly to the front. He offers to bring the news of the outrage to the nearest police station, and villagers who have been hitherto hiding under charpoys, and behind their houses, are prepared to swear that they saw the entire proceedings and recognized the delinquents as up-country men, now seen by them for the first time ; when, as a matter of fact, they could, if they had liked, have spotted every man as a resident of villages bordering on the district, and as well known to them as any of the habitués of the weekly fair. The case is thus reported by the chowkedar, and the enquiry in due course is set on foot. With this enquiry I shall deal hereafter. I am now merely describing the nature of dacoities. The river dacoit is a much more daring and much more successful plunderer. The object of his ambition is the robbery of boats, and I am afraid he is generally a winner in the game he plays against society. Anyone who has travelled in the Eastern districts must have noticed the many places where hundreds of boats are anchored, bringing down produce from one part of the country and taking back produce from the other, or, which is a greater godsend to the dacoit, bringing down jute or produce and returning with hard cash. These boats are the prey of your river dacoit. The *modus operandi* is this. The dacoits charter a boat, or more often own one, and put on board a cargo of sorts. They drop down the river and anchor amongst the crowd of boats that have assembled there, upon purely legitimate business. Meetings at the grog shop, and other places of public resort, give the dacoits all the information they require as to the number of hands on board, the amount of plunder to be anticipated, and, in fact, everything they want to know in furtherance of their purpose. The soiled doves of the various centres of river trade are, as a rule, invaluable allies to the river dacoits in giving information. Information being thus acquired, the dacoits wait their opportunity, and on some dark night quietly cut the mooring rope of the boat which they intend to rob, and let it drift down the stream. They follow it in a swift rowing boat, board it, and plunder it. Disguised as they are,

it is impossible that they should be recognized. The owners of the boat that is being plundered have either the choice of an immediate stampede and a swim ashore to save their lives, or as is, I am afraid, often the case, an involuntary plunge into the river with a gumlah tied round their neck, to ensure no tale being told. In some instances the boats, if they contain only cargo, are deliberately taken off and palmed off as the property of the pirates, the cargo sold, and the boat utilized for future gain. In cases where money is obtained, the boat is generally let go adrift, and is found on a chur perhaps a week after the robbery. These are pretty accurate descriptions of the two varieties of dacoity of which Bengal has the privilege of enjoying. There is nothing extenuated or aught set down in malice. I think it will be generally admitted that justice has hitherto failed to grapple with dacoity. I am far from saying that results, in some districts, have not improved within recent years, but, I am strongly of opinion, that a very large percentage of the dacoities that actually take place are never reported at all, and with the exception of now and again, when a good capture is made, the percentage of convictions, in reported dacoity cases, is far from being satisfactory. The police are, of course, in the first instance, blamed for these results. I think unfairly so, or that, at any rate, more is laid to their charge than the facts of the case warrant. It is easy to criticise the action of the police, and to put them down as everything bad, and lazy, and corrupt. The difficulties with which they have to contend are not always fully realised by those who are loudest in their dispraise. Let us examine the conditions under which a police officer takes up an enquiry into a dacoity.

In the first place, as we have seen, no effort is made, or is very seldom made, by villagers themselves to arrest and bring to justice those who commit dacoity at the time of the commission of the crime. The victims are, as a rule, paralyzed with terror, and the neighbours are too apprehensive of their own danger to thrust themselves prominently forward. The first clue, therefore, to ensure a successful issue is generally absent, *viz.*, the identification of the persons who commit this crime and their immediate seizure. Coupled with this, there is a further element which works detrimentally to securing the right men, and that is, the irrepressible inclination on the part of the inhabitants of this country to utilize the occurrence of a crime as an opportunity to work evil to their immediate enemies, and to accuse them, without any hesitation, as being the perpetrators of the crime which has taken place. In a land dacoity, therefore, the police have to start, either without a clue at all; or, with what is worse than no clue, on an entirely false scent. In a

river dacoity the police are still more heavily handicapped ; both the victims and the dacoits are strangers to each other and to the police. The system of patrol boats, which exists on the large rivers, is but a poor preventive means. The patrol boat is as well known as the magistrate's boat, and all the dacoits have to do is to wait until the police boat is well out of the way before they begin their work. I am aware there is an obvious answer to this statement of the difficulties with which the police have to contend, and that is, that in no country do men commit crime openly, and that clues are not, as a rule, met with ready to hand in any cases of crime. True, but in Bengal there is an additional difficulty put in the way of detecting any carefully organized crime, and that is the procedure which has to be undertaken between the arrest of the persons suspected and their final trial.

When the police enquiry is over, and the accused are sent up for trial, it most commonly happens that the investigating police officer relies on a confession, either true or false, obtained either voluntarily, or by means of extortion or persuasion. It is almost impossible to instil into the mind of an average inspector that a false confession is simply fatal to a successful issue of a case, and that even a true confession, is always looked upon with suspicion and, in many instances, wrongly distrusted.

However ; true or false, the confession is recorded by a magistrate and evidence is gone into against the parties sent up. This evidence is taken by an officer to satisfy himself of the existence of a *prima facie* case being made out against the prisoners, and they are then committed for trial to the Court of Sessions. I look upon this procedure as a sort of insurance against conviction, to persons who are accused of organized crime and whose friends are on the alert to watch over their safety. In the first place, it is generally found to be the case that once all efforts at bribing the police, and preventing by every possible means the arrest of the persons accused of dacoity have failed, the second stage of the proceedings, (the enquiry before the magistrate,) is not regarded with much interest, either by the accused or their friends. They have made up their minds that to the Sessions they will have to go, and they abandon their intermediate defences, and gird up their loins for the field-day at the Sessions Court. Some time must necessarily elapse between the two trials, and it is interesting to note how almost every circumstance works in favour of the dacoit owing to this dual procedure, and to the time which must elapse between the enquiry before the magistrate and the trial before the Court of Sessions. In the first place, the misguided zeal and the questionable honesty of the police has to be contended against. Once a confession is recorded and the accused are

safe in their jailor's or home, the police have a wonderful knack of accumulating evidence against their victims. In perfectly true cases they will, at times, seek to make security doubly secure by the discovery of stolen property, identified and sworn to by marks which the owner never thought of in his life before. All this goes to throw discredit on the entire case, and works out the ultimate salvation of the dacoit at the Court of Sessions. Where this element of safety is absent, there comes in the great safeguard of two sworn statements being required, one before the committing magistrate, and one before the judge and jury, or assessors, as the case may be.

Now, assuming that witnesses have every desire to speak the truth, it is almost impossible for ignorant persons to avoid making discrepancies in statements given at an interval of, it may be, two or three months. These discrepancies are laid hold of by the defending counsel, and are the most powerful arguments to the minds of an average Bengali jury. The Bengali mind is of a hair-splitting order, and where a British jury would look at a case from a broad point of view, a Bengali jury consider themselves as uncommonly sharp when they acquit a prisoner on the ground of discrepancies, which the judge has probably told them are proof that the story told by the witnesses is not a made up one. A case, therefore, in which witnesses are actuated by every desire to tell the truth, and ensure a conviction, may break down owing to the present procedure. How much more so is a dual enquiry and delay fatal to a case in which no such desire exists on the side of those upon whose evidence a conviction is hoped for? Witnesses leave the magistrate's court and return to their homes. Then begins the real business of the friends and comrades of the dacoits. Bribery, threats and persuasion are put into full force, and the result is that the witnesses go before the Court of Sessions, either with a totally different story to that which they told before the magistrate, or, where they have been instructed, with a story sufficiently similar to save them from a prosecution for perjury, but differing in material points to an extent to make the two statements irreconcilable. The confessing prisoner has, of course, been instructed to withdraw his confession, and to say that it was extorted from him by the police, and in many cases his is, I suspect, about the only absolutely true statement on the record. Now the remedy I would suggest for the stamping out of this crime is, by treating it as one would treat an epidemic disease, and by applying special methods of procedure to the trial of cases of dacoity. I would first of all put forward the idea of a special tribunal for the trial of these cases, and the appointment of special officers to enquire into the subject of dacoity and its prevention. That a speedy

trial is absolutely necessary to ensure conviction in true cases, is, I think, admitted by all who have ever had to deal with this crime. The time elapsing between the enquiry before a magistrate and the final trial, is a golden hour for the guilty, and I would unhesitatingly recommend its being abolished. If dacoits were brought up once and for all before an officer of experience, and were either acquitted or convicted, there would, I think, be a sensible diminution of this crime. The opportunity that is at present given for corrupting good evidence, and on the other hand, for fabricating bad evidence, is one of the most fatal drawbacks to the successful treatment of this crime, organized as it is, by well-to-do men, and men who will leave no stone unturned to carry it to a successful issue. I would suggest that one or more officers of *judicial* experience should be appointed to various centres where dacoity is prevalent, and should take up these cases once and for all, and dispose of them without any preliminary investigation before a magistrate. It would be undesirable that executive officers should undertake this work. It might be said that their position as head of the police would predispose them against persons accused of dacoity. This could not be said of officers whose duties lie wholly on the judicial side of the service. The whole question, however, requires a close enquiry. There is no doubt of the prevalence of the crime in Bengal, and a commission should issue as to the best means of dealing with the evil. If one were to go by the *published* returns of cases of dacoity, it might be said that no cases has been made out to justify exceptional measures. I do not go on the published returns alone; I go upon what I believe to be the fact, that dacoity is a crime, the existence of which is, to a great measure, concealed. It cannot be wondered at that it is concealed. This is a country where men do not believe in the idea of public spirit, nor do they "because right is right follow right."

They think twice before they invite a police enquiry in their midst. They abandon the idea altogether when they know that the result will be a tramp of some miles into a head-quarter station, and the remaining there for perhaps some days. Then there is the return again to give evidence before the Court of Sessions, and the result of either undergoing a trial for perjury themselves, or going back in fear and trembling, having incurred the undying hostility of the powerful clique whose friend they have been the means of relegating to rigorous imprisonment.

There is another reason which leads me to think that dacoity, despite the returns of reported crime, is on the increase, and that is the increased facilities for travel which are opening out daily to the public. It may seem an extraordinary thing to say, but it is true, nevertheless, that railways, in the universal good they do to

the country, are a blessing to those who live by organized crime. Like the rain of heaven, their benefits fall alike on the just and the unjust. The construction of a railway in Bengal is the signal for every bad character in Behar to change his name and seek fresh fields and pastures new, in that part of the country where the Darogah knows him not, and where his midnight slumbers are not liable to be disturbed by the village chowkedar. When the railway is made, he, like more honest men, enlarges his scale of operations. He scorns an attack on some neighbour, accompanied, as it is, with the greater risk of detection, and boldly extends his connexion with receivers of stolen property in districts where he is entirely unknown, and from which, an early morning train takes him in comparative safety to the place which he elects to make his basis of operations. Some years ago officers were ordered to observe and report upon the habits of the Gangetic porpoise. I think it would not be a bad move if a commission were given to some experienced men to observe and report upon the habits, especially, the migratory habits of the Bengal and Behar dacoit. My views, as I have said before, may be mistaken. They are given with much diffidence. They are put forward, however, with a hope that they may call attention to a subject which intimately affects the well-being of a large class of the community, those whose lives are spent in the outlying villages of Bengal and Behar. The success which special legislation has had in checking special and organized forms of crime in other parts of the Empire, leads me to the conclusion that there would be no harm, at any rate, in applying special legislation to the one form of organized crime which exists in Bengal, and the suppression of which, I think, I am right in saying, has hitherto baffled the efforts of ordinary legal procedure.

A. C. TUTE.

ART. V.—THE TRIAL OF MAHARAJA NANDA
KUMAR.

PART II.

(Continued from the Calcutta Review, January 1886.)

BEFORE proceeding further with my narrative, I wish to state that since the first part of this article was in print I have obtained ample evidence that Belli was Hastings' secretary in 1775. The first mention of him which I have found is in 1772, when he appears as a witness to Hastings' covenant. Then there is a letter from him, dated 5th January 1775, and addressed to Mr. Goring of the Calcutta Committee of Revenue. It appears that one Didaru had obtained a decree in the Revenue Court for the possession of a house. Kachla Bibi, the defendant, had complained to Lemaistre and he, it was said, had ordered that she should be restored to possession. The Committee asked the Governor what they should do, and Belli replied, "The Governor further directs me to acquaint you that for your present guidance you are not to controvert the authority which the Supreme Court of Judicature may think fit to exercise." (Bengal App. p. 581.) The fullest reference to Belli is contained in the debates in Council about his agency for revictualling Fort William. On 4th November 1776,* Hastings brought forward his plan for victualling the fort, and Clavering drew up a minute objecting to the plan. Hastings, in December 1776, rejoined as follows: "In the opinion given by General Clavering, upon my proposal for laying up a store of provisions for the garrison of Fort William, his usual temper has displayed itself by an attempt to vilify the plan with hard and coarse invectives. Instead of offering any objections to the propriety of it, artifice and affected zeal for the Company's prosperity, projects of private benefit, and jobs to serve a private dependant are the expressions and reasonings by which a member of this State examines the utility of a public measure. He has perhaps heard, or, if he has not, I will now declare that I do mean to propose a gentleman of my own family for this trust; I mean my secretary, Mr. Belli; not because he is a private dependant whose services and fidelity for more than four years past have received no higher reward than a salary of Rs. 300 a month, but because I think the due discharge of this trust of such importance, and so immediately my own province, that

* Monson had died in the previous September, so that Hastings and Barwell could carry everything before them.

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I wish to employ in it the person on whose honour I can place the best dependence" (Minute of 2nd December 1776.) To this Clavering made the following rejoinder: "Without the express authority of the Governor-General I could not have ventured to suppose him capable of proposing a person to exercise so great a trust who is not in the Company's service, and still more, that this person should be his own secretary. Upon a rough calculation, I conjecture the cost of the provisions to be furnished will not be less than three lakhs of rupees, and consequently, the Agent's commission, at 30 p. c. is Rs. 90,000." The Court of Directors by their letter of 28th December 1778, ordered that the commission should be reduced to 20 p. c., but by that time the agency had been converted into a five years' contract! Belli's letter to Impey, from which we learn that he forwarded the complaint of the foreman of the jury concerning Farrer, will be found in Impey's letter of 20th January 1776. (References to General Appendix, No. 3, to Report on Touchet's petition.) The agency and the contract given to Belli were one of the subjects of the 6th article of charge against Hastings. The case was surely a gross one, for three merchants, Croftes, Robinson and Sullivan had stated that 20 p. c. was a sufficient commission for the agent, and Hastings raised it to 30.*

Having in Part I. traced the history of Ballaki Das and of Nanda Kumar's affairs down to 1772, I proceed to sketch briefly what occurred subsequent to Hastings' return to Bengal.

Hastings arrived in Calcutta on 17th February 1772, but he did not take his seat as Governor till the 13th April following. The reason for the delay was that the Directors had ordered that Mr. Cartier might continue in the government till the departure of the last ship of the season for Europe after the arrival of Mr. Hastings, "on, or before which time, it is our pleasure that Mr. Cartier do resign the government to Mr. Hastings." The letter conveying these orders is dated 25th April 1771, and from it, it appears that Mr. Cartier had been removed because he had joined in a resolution to retard the execution of the Directors' orders. By a previous letter of 10th April, Hastings had been

* Mrs. Fay tells us that Hastings' character was never to forget a friend or to forgive a foe. We have seen how he cherished hatred to Nanda Kumar long after he had murdered him, and on 15th October 1783 we find him regretting that he had been obliged "to accommodate a former engagement to poor Belli to make room for Mr. Dent," but adding that Belli had an office with which he is satisfied, though much inferior to the other (a salt-agency). Apparently the office which satisfied Belli was that of Post Master General. (Seton-Karr's Selections from C. Gazette, p. 4.) In a letter of 10th November 1780 Hastings joins Belli with Elliot, Bogle, Sumner and D'Oily and says they were all "men of eminent merit, and universally respected, but unfortunately known to have attached themselves to me."

appointed second in Council at Fort William, and to succeed Mr. Cartier as president and governor of Bengal.* It was probably either this appointment or that of Supervisors, when Hastings was rejected,—according to Scrafton, because he had too many crooked lines in his head—which gave occasion to Clive's remark that he had never heard of Hastings' having any abilities, except for seducing his friends' wives. By that time, Clive may have heard of such part of the Imhoff episode, as had taken place on board the Duke of Grafton or in Madras.

One of Hastings' first acts was to arrest Mahomed Raza Khan and bring him down to Calcutta. This was done in accordance with the orders of the Directors, who told Hastings in a confidential letter, to issue private orders for the securing the person of Mahomed Raza Khan, together with his whole family and his known partisans and adherents, and to make use of such measures as his prudence suggested for bringing them down to Calcutta. The reasons for this order were that Mahomed Raza was supposed to have embezzled the revenues, and also to have monopolized rice during the famine of 1770. This last charge was brought against him by Hazari Mal, who, though the brother-in-law of Amichand, was described by Hastings to be as upright and conscientious a man as any he knew.

At about the same time, Hastings caused Shitab Rai, the Naib Diwan of Bihar, to be arrested and brought down to Calcutta. This had not been ordered by the Directors, but Hastings and the Council considered the step advisable and consistent with the tenor of the Directors' instructions.† They judged rightly, for on 16th April 1773, the Secret Committee wrote, that the apprehending of Shitab Rai was necessary, as he had been too long connected with Mahomed Raza to be independent of him. This might be satisfactory to Hastings, but it did not make the arrest and degradation of Shitab Rai the less a piece of cruel and cold-blooded injustice. He was acquitted in the following year, and Hastings quietly wrote: "I never thought him culpable; I never accused him, nor did the Court

* From a paper in an appendix to one of Burke's reports, we learn that Hastings' emoluments as Governor of Bengal were £3,000 a year, a duty of one p. c. on the mint, 4 p. c. consulage on coral, and a commission on the revenues of the Company. It seems that two and a half p. c. calculated on the net profits of the Company's territorial revenues was allowed to the Company's servants. The sum realized was divided into one hundred shares, and thirty-one of these were allotted to the Governor as compensation for his not being allowed to trade, and for his not being permitted to receive presents. I do not know the total of these gains, but suppose that it fell a good deal short of the £25,000 which was given to the Governor-General by the Regulating Act.

† According to the *Suir*, it was Graham who was primarily responsible for the arrest of Shitab Rai.

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of Directors express any suspicion which glanced at his conduct." In another letter he writes : "I have taken much pains to investigate the conduct of Rajah Shitab Rai ; I can discover no defect in it ; he has shewn himself an able financier." Again, he writes that Shitab Rai will escape with credit, and that he scarce knows why he was called to account. The fact seems to be that both arrests were made because the Company had resolved to stand forth as Diwan and to get rid of the native Naibs. They wished to economize Mahomed Raza's nine lakhs of salary, and to employ European agency.* Shitab Rai died of a broken heart, it is said, † shortly after his release, and Hastings tried to make compensation for his unmerited sufferings by appointing his son, Rajah Kalyan Singh, Rai Rayan for Bihar.

All authorities agree in giving Shitab Rai a very high character and yet he was trained under much the same circumstances as Nanda Kumar. When Sir J. Stephen says that a successful man, in circumstances such as Nanda Kumar's, could hardly be other than Nanda Kumar was, "false all through and dead to every sentiment except pride, hatred and revenge," I feel inclined to ask how he would account for Shitab Rai.‡ Moreover the statement that Nanda Kumar was false all through, is contradicted by the testimony of his bitter enemy, Hastings who says that he was always faithful to his master, Mir Jafar.

Under the orders of the Secret Committee, Hastings employed Nanda Kumar in the inquiry against Mahomed Raza, but when this ended in an acquittal, Nanda Kumar naturally received no reward but rather fell into disgrace. The truce was at an end, § and in March 1774, Hastings was writing of

* The proclamation divesting Mahomed Raza Khan of the office of Naib Diwan, and announcing the intention of the Court of Directors to stand forth publicly as Diwan, was published by Hastings as early as 11th May 1772. (Harington, II, 189.) It made no provision for the discharge of Mahomed Raza's duties as Naib Nazim. These included the administration of criminal justice, and were, I imagine, left to the Nazim (Mubarak-ad-daula) to arrange for.

† Macaulay got his statement to this effect from the Sair.

‡ It is true that he came from Delhi, but he spent his life in Bihar and in the service of the Nawab of Bengal and the Company.

§ Sir J. S. says (I, 46) "I have stated in the last chapter the points in Nanda Kumar's career which brought him into contact with Hastings, and which must, beyond all question, have inspired him with a deadly hatred for Hastings." There is, however, nothing in the previous chapter to account for Nanda Kumar's deadly enmity, supposing it to have existed. His getting the better of Hastings in the matter of the collections of Bardwan, could not be a grievance to him, and it is only by a blunder, (perhaps clerical) that Sir J. S. refers, in a note to a correspondence between Clive and Hastings in 1758, as connected with Nanda Kumar's deposition in 1765. With this last point, Hastings had, of course, nothing to do, as he was in England at the time.

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Nanda Kumar as a dark and deceitful character, whom no gratitude, no kindness, could bind, nor even his own interest disengage from crooked politics. It may be that Nanda Kumar was not grateful by nature, but I cannot discover that Hastings ever put him to the test. He compares him to the viper whom the countryman cherished in his bosom till it revived and bit him, but he does not tell us what were the favours he conferred. According to Nanda Kumar, if any gratitude were due, it was due by Hastings to him for having helped him with his local knowledge. On 13th March 1775, he said, "Mr Hastings, until he had informed himself from me of the affairs of this country, remained excessively well-pleased with me. When he had this knowledge from me, he no longer consulted me ; instead of my patron, he became my enemy, and acted as such." This agrees with Hastings' own language and with the orders of the Directors. So long as Nanda Kumar was likely to prove useful he was patronized and encouraged to hope for advancement, but when the prosecution of Mahomed Raza failed, and Hastings no longer wanted instruction, he was discarded. He did not succeed in what he had undertaken, and as the Company had no intention of reappointing Naib Diwans, the contemplated reward was never bestowed. Hastings may have employed Nanda Kumar against his inclination, but however meritorious this might be, and however justly it might entitle him to the thanks of the Directors, it could not alter the fact that Nanda Kumar was deceived. Hastings certainly did not tell Nanda Kumar that he was his enemy, and that he only employed him under the orders of the Directors, and because he might be temporarily useful.

It was while Nanda Kumar was in disgrace and smarting, under the disappointment of his hopes and the non-fulfilment of Hastings' promises, that the Members of Council arrived in Bengal. Possibly Nanda Kumar had been looking forward to their arrival and plotting with Joseph Fowke, who must have been in Calcutta for some time, as Hastings speaks of Fowke's having sent him letters from there to Madras. (Gleig I, 190.) Fowke was apparently a Persian scholar and had been in India before, and it is therefore likely enough that he and Nanda Kumar had had interviews. According to Hastings, when Fowke went down to Khejiri to meet the *Anson* and the *Ashburnham*, he took with him a long list of malversations. Hastings supposed this the same as Nanda Kumar afterwards presented (Gleig I, 516) and if this was so, it is not clear where Sir J. Stephen got his authority for saying that Nanda Kumar largely supplemented in his petition the charges which he had previously circulated. (Stephen I, 54, note.) The Members of

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Council arrived in October 1774, and at a time when there was plenty of material for an accusation of Hastings. Mahomed Raza and Shitab Rai had been acquitted, and though their acquittal may have been right, yet, as Hastings himself wrote, it was a matter in which it was not possible to steer clear of the imputation of injustice on one side or bribery on the other. Worse still, there was the Rohilla war. It had come to an end, but the ashes were still smoking, and Col. Champion and Hastings were at feud.

The new members wanted to see Hastings' correspondence with Middleton, but he would not produce it, and they had therefore no alternative but to recall Middleton. We are told that Middleton's recall made Shuja-ad-Daula burst into tears. (Gleig I, 469) This is not improbable. It must have been sad for him to think, that when he had expended so much in bribes, he would now have to begin the process over again! It has generally been supposed that Hastings suppressed the correspondence with Middleton because it would have convicted him of bribery. This is exceedingly likely, and one is justified in presuming all things against one who suppresses evidence. This is the *peine forte et dure* appropriate to such a crime. It appears, however, from Hastings' letter to Lord North (26th February 1775) that he had another motive for concealment. He had plotted with the vizier to make him independent of the Company, and to enable him to enter into direct relations with the Crown (see Gleig II, 50—51.) A similar idea had occurred to Clive, and had led to his writing a remarkable letter to Lord Chatham. No doubt the Directors would have regarded such conduct as treachery, and would have come down heavily on Hastings in consequence.

I do not intend to discuss Nanda Kumar's charges against Hastings.* It would occupy too much of my space, and also

* In treating of the proceedings in Council, Sir J. Stephen says, (I, 52.) that it appears "it was the practice of the Council, that the members should sit down during the meeting, and write elaborate essays upon important occasions. I do not think the minute in question could have been written by any one in less than an hour and a half; and whilst Hastings was writing, and the clerk copying—for it is not in his handwriting—the others must have sat silent."

I believe that this account is incorrect, and that unless when they brought them ready written, the members dictated their remarks and did not write them; that is, they spoke them, but they were at the same time recorded. Whether the clerks knew shorthand, as Justice Hyde did, I do not know. In a minute of 21st March 1777, Hastings says, "I drew up the minute, while the General and Mr. Francis were in possession of the Council table, and used the first interval which was allowed me to introduce it, which was not till after the hour of two in the afternoon. Had I waited to make this a separate motion and to take my share as usual in the dialogue which was to follow it, an entire week would not have been

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I have treated of the subject in a former number of this *Review*. I may, however, remind my readers that many years later, Hastings admitted the receipt of $1\frac{1}{2}$ out of the $3\frac{1}{2}$ lakhs which Nanda Kumar accused him of having taken. Hastings alleged that this was only a fair sumptuary allowance; but granting that this was a good defence, it was one not likely to avail him with councillors who were such Puritans that they would not even take *dalis*. This last fact is chronicled by the Muhammedan historian, who evidently considers it something astonishing. Price, too, refers to it, and it is amusing to find that he argues in the same way as *dali* takers do at the present day, *viz.*, that it hurts the feelings of the givers to be refused. So the old game of cross purposes goes on, the native offers because he thinks he is bound to do so, and the Englishman accepts because he fears to hurt the giver's feelings. Price is very sarcastic about the councillors' virtue. He quotes their resolution of 30th November 1774, to refuse nazars, and has the following N. B. (sic) to Burke. "Are you able to keep steady the muscles of your face, Sir, on reading the above ridiculous and ostentatious display of mere legal honesty, so tightly laced? Outrageous virtue in the sons of Adam ought always to be suspected in whatever shape it appears." This extract serves to enable us to appreciate the dislike felt by the Europeans in Calcutta towards the members of Council, and their fury at the native who dared to denounce the receivers of presents. Price did not know, or did not choose to tell, that Hastings himself made an exhibition of tightly laced legal honesty. On 7th November 1774, we brought two bags before the Council, one containing 146 gold mohurs and the other 327 rupis of different sorts, and said that the contents had been presented to him by various persons from 1st August to 31st October. He said that he did not think proper to discontinue the practice, but accepted the presents on behalf of

sufficient, though the board had met every day to bring them all to a conclusion. On this occasion I cannot avoid taking notice of the use, whether proper or improper, our superiors will judge, to which the General has, of late, especially, applied the privilege which he undoubtedly possesses of recording his sentiments by minutes dictated at the Council board. Scarce any subject, even of the most trivial nature, is allowed by him to pass without long comments and discussions, all more abounding in personal reflections of the points in question. While he is thus employed, I am doomed to the necessity either of exercising my patience by sitting in silent attention to the General, during whatever length of time he chooses to consume in this mode of gratifying his ill humour against me, or of composing my mind in the adjacent apartment to other business, which I can seldom find an interim of introducing, or to adjourn the Council, where my presence cannot avail to the dispatch of real business, and afford fresh cause of offence by my departure."

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the Company. On this Barwell remarked: "What is proper for the Governor-General would in me, I apprehend, rather appear in the light of a consequential, insignificant display of rigidity in excess." No doubt he was right: Khwajah Michael and the unfortunate inhabitants of Dacca would certainly have regarded the production by him of Rs. 250, (which he says were all he received from the time of his coming down to the Presidency,) as an instance of straining at a mosquito and swallowing an elephant. They would perhaps have likened him to the lady celebrated in Indian story who was too prudish to allow the moonbeams to enter her chamber, yet would swim across a crocodile-haunted river to visit her paramour.

On 8th December, the Council wrote: "We have refused all nazzars. The Governor-General has given his reasons for accepting such nazzars and paying them into the Company's treasury: Mr. Barwell has also given his for accepting nazzars and not paying them over to the Company. Making every allowance for the force of prejudice and custom, they (the natives) are not so dull as to be incapable of understanding that it is possible to be their friends without taking their money." This last epigram refers to Barwell's plea that nazzars must be taken because the Home Government had enjoined that every respect should be paid to native customs. "I see their acceptance," he says, "in a light of the greatest propriety, perfectly consistent with the ideas of the Company, and suggestive of what they have always requested, attention to the particular prejudices, manners and dispositions of the natives"

There is a significance in the date, 1st August 1774, which was chosen by Hastings as the starting-point of his restitutions, for this was the date prescribed by Section 24 of the Regulating Act, as that after which no civil or military servant was to receive presents or gratuities. That Hastings did not go further back seems to show that he did not consider the receipt of presents illegal until they were made so by the Act.* If such was his view, it would appear to have been wrong, for the Court of Directors had, as long ago as 16th March 1768, sent out a deed to be executed by Verelst, and by all subsequent Governors, binding themselves not to take presents. We are told that there was no evidence that Hastings ever executed such a deed, but on the other hand he had, on 10th February

* Hastings' defence before the House of Lords shows that this was his view. There, when speaking of the $1\frac{1}{2}$ lakhs, he said "I will not pretend to deny, I never did deny that I accepted the usual entertainments (Ziafat) which were then (for it was previous to the Act of Parliament prohibiting the receipt of presents) usually given to the visitor by the visited."

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1769, when appointed to Madras, signed an indenture that he would not take presents, and it was the opinion of Dunning that the obligation of this indenture extended to Hastings' subsequent stations, and was not confined to his then station. For my purpose, however, it is of no consequence whether the distinction was right or wrong. The important thing is that Hastings seems to have drawn it, for this adds to the probability of the truth of Nanda Kumar's accusations, seeing that they related to a time so far back as 1772. The parade of virtue, too, which Hastings made in November 1774, must have increased his feelings of mortification at being called upon to account for receipts of bygone times. It is therefore not surprising to find him thrown into a state of fury and despair by Nanda Kumar's charges. He spoke of him as a miscreant, an arch scoundrel, and a serpent, and said that informations were being raked up out of the dirt of Calcutta. He declared the meetings of the 13th, 14th and 17th dissolved, and wrote to his friends that, right or wrong, he had no alternative but to do this or throw up the service. Sir J. Stephen quotes a statement by Clavering that the prosecution of Hastings was not founded principally on the evidence of Nanda Kumar and Radha Charan Rai, and from this argues that Hastings had not much interest in destroying Nanda Kumar. (Stephen I, 215.) He omits to notice that Clavering was giving his evidence in July, after Nanda Kumar's conviction, which made him a felon, and I believe, incapacitated him from giving evidence. At all events, Clavering and his co-adjutors thought that it did so,* for on 26th June they recorded that as Nanda Kumar's evidence was invalidated, if not entirely impeached by his conviction, inquiry should be made if a bill of discovery could not be filed against the Governor-General. Hastings was present when this minute was recorded, and merely remarked that it was unnecessary for him to give any opinion on the motion. This minute sufficiently accounts for Clavering's remark, which may be explained also by the question being double-barrelled—Radha Charan being referred to in it. It does not appear that the latter was ever regarded as an important witness.

That Clavering was not disposed to undervalue the evidence of Nanda Kumar is clear from his remarks of the 8th May, in the debate about his confinement in the jail. "The Judges probably are ignorant how much a close confinement may endanger the life of this man, which is of so much importance

* Apparently they were right, for Mr. Law, Hastings' senior counsel, objected to the admission of Nanda Kumar's evidence on the ground, among others, that the conviction for forgery made Nanda Kumar infamous, and that the infamy extended back to the period of the commission of the crime.

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to the public for proving an accusation which he has made of venality in the Governor-General."

Hastings' conduct in dissolving the meetings of Council has been generally condemned, but Sir J. Stephen attempts to defend it. He, of course, makes light of such authorities as Burke and Mill, but I should have thought he would have yielded somewhat to a brother-lawyer, Mr. Sayer, who was the Company's counsel, and whom Sir James calls an eminent lawyer. Sayer's opinion was taken on the point, and while he considered that Hastings' procedure was technically maintainable, he characterised it as follows:—"The meeting of the Council depends on the pleasure of the Governor, and I think the duration of it must do so too. But it was as great a crime to dissolve the Council upon base and sinister motives, as it would be to assume the power of dissolving, if he had it not. I believe he (Hastings) is the first Governor that ever dissolved a Council inquiring into his behaviour, when he was innocent. Before he could summon three Councils and dissolve them, he had time fully to consider what would be the result of such conduct—to convince everybody, beyond a doubt, of his conscious guilt."

The danger to Hastings from Nanda Kumar's charges was not only in the weight of the accusations themselves. There was also the encouragement which they gave to other informers. Nanda Kumar was not the first person to bring charges of speculation, but he was perhaps the first who directly attacked Hastings. The *Malangis*, or salt-workers, brought charges of oppression in November 1774, which affected persons belonging to Hastings' household. But the first charge of bribery seems to have been brought by the Rani of Bardwan, widow of Trilok Chand. She began her complaints on 30th December 1774, but they were then directed against Mr. Graham. Hastings made common cause with his friend, and tried, with the help of Barwell, to prevent the Rani from coming to Calcutta, as she wished to do, in order to substantiate her charges. Graham replied to the Rani's petition by a letter of 6th January, which was drawn up in a very lofty style. Among other things he demanded that the Rani should give a penalty-bond for some lakhs of rupees, though surely her position as a member of one of the first families in Bengal was a sufficient guarantee. According to Francis, Graham took a more effectual way of protecting himself, namely by bribing Sir Elijah Impey. He writes, "Clavering's rupture with the Chief Justice took place a little before Graham's departure for England, when that man was accused of seizing the young Rajah of Bardwan, and carrying him away a prisoner from his mother's house. The charge was true, (the taking away the child from

his Mother was not, I believe, denied by Graham,) and might have been very troublesome to Graham if he had not taken proper measures to secure the friendship of the Chief Justice. From that early moment I conclude that Impey had taken his line against us. The views of that party in England, which had placed such a man in such an employment, were now so evident, and the success of them so probable, that some of the natives, who had heard that Hastings and Impey were school-fellows, have asked me seriously whether they were not of the same caste?"

Apparently Impey had always a hankering after the flesh-pots of Bardwan, for he afterwards procured for his cousin Fraser, who was the sealer of his court, a large contract for repairing the embankments in the Bardwan district. Francis intimates, (*Memoirs*, II, 122,) that the real contractor was Impey himself, and evidently this was the common notion in Calcutta, for we find that Impey was generally known there by the sobriquet of Justice Pulbandi, or the Venerable Pulbandi. (See Hickey's Gazette, *passim*.) The matter is a digression, but it is such an important illustration of Impey's character, that I must here give a few details about it. Fraser, then, was Impey's cousin, being the son of his mother's brother, and was a member of his household in Calcutta. Francis calls him a low, obscure fellow, who had not long ago been the mate of a ship, a wretch of the lowest order, a creature and distant relation of Impey, and already well-provided for in the Supreme Court. This is strong language, but the description is substantially borne out by Fraser's own account of himself, in an affidavit which he made before Justice Hyde on 16th August 1782.

In it he says : " Sir E. Impey when he was about to leave England and proceed to Bengal, requested the deponent, then a chief mate in the service of the E. I. Company, to relinquish his pursuits in that line, and trust to the interest of the said Sir Elijah to provide for this deponent in India ; which this deponent did accordingly, and this deponent further says that the said Sir Elijah has been very solicitous, as this deponent believes, to promote the interest of this deponent ; that as the education of this deponent had not been such as qualified him for the higher and more lucrative offices of the Supreme Court (as the said Sir Elijah has often declared to this deponent) the said Sir Elijah, procured him this deponent to be appointed Sealer of the said Court soon after his first institution, to which office a yearly salary of Rs. 2000 Arcots and no more is annexed ; and that this deponent held no other office whatever in the Supreme Court till the month of December in the year 1776, when he was appointed examiner in the said Court, to which office a yearly salary of Rs. 6000 Arcots and no more is annexed, and that he hath not at any time held any other office in the said Court except the offices above mentioned. And this deponent further says that the profits of the two offices, including fees and salaries after the necessary deductions for clerks and contingencies would not, if this deponent did not lodge and board gratis in the family of the said Sir Elijah, be more than would be necessary to maintain this deponent in decency and

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with common necessities." In the same affidavit, Fraser says that he hoped to be made Superintendent of Police, but that this appointment was given to Playdell, that he was then appointed Coroner in the latter end of 1778, but as he did not like the office and was not sufficiently instructed in law to perform the duties, he declined the appointment. Some time afterwards George Bogle came into his bedroom and recommended him to make proposals about the Pals (embankment). The above affidavit, as well as a letter of Impey, of August 1782, were called forth by Francis' letter to the Select Committee of 3rd April 1779. It seems that Francis thought the job really too gross, and therefore wrote home about it. He first refers to a contract given to an unknown man named Wattel, and which according to him was really in favour of Sir John D'Oyley and Dr. Burn. He then goes on :—"On 13th February 1778, the majority thought proper to give a contract for repairing the Pals of the district of Bardwan to a Mr. Fraser, for the sum of Rs. 1,80,000 sicca, whereas in the settlement of the district formed by Sir John Clavering, Col. Monson and myself for the years 1776 and 1777, the Rajah's officers had engaged and were bound to perform the same service for the sum of Rs. 25000 sicca per annum. Mr. Fraser is an inferior officer in the Supreme Court of Judicature, where I understand, he is well provided for. You are to consider and judge of the views and principles which have guided the Governor General and Council in the allotment of such a design on terms of such immediate profit to a person so circumstanced as you will find Mr. Fraser to be, if you think fit to inquire into his situation and connections. By referring to the Consultations, you will find that I have gone as far in opposing the measure as the delicate and personal nature of the question, and perhaps my own safety, would admit of. Let me only assure you that it concerns the Company's service in a very high degree. Some late resolutions, still more extraordinary and questionable than even those taken in the first instance, have brought these contracts again into view. The sum payable to Mr. Fraser out of the Company's treasure is sicca rupees 4,20,000, which, reckoning the current rupee at two shillings, is equal to £48,736. Besides that, you will observe that in the second contract Mr. Fraser is authorized to execute certain additional works which properly belong to his contract, and to deliver in extra bills for the same upon honour." Fraser's reply to this is, that he is to deliver his bills upon oath and not upon honour! Francis concluded "In the case of Mr. Fraser, the object meant to be provided for, is sufficiently apparent, and very well understood in this place."

Fraser's affidavit is followed by that of his agent, John Bayne, but I think, it will hardly be disputed that the contract was a job. Fraser was an uneducated man, who had been a sailor, and was foisted into the Supreme Court by his relative. He knew as little about embankments as about law, and had, in the nature of things, no connection with either. Why should the contract be in his name when the work, if done at all, was done by Bayne, unless because he was the *farzi* of Sir Elijah? It is no wonder that we find in Hickey's Gazette satirical verses beginning—

"Pulbandi once, in a high fit of crowing,"

"Exclaimed thus to Archibald Sealer, the knowing."

The same journal publishes a satirical letter signed Philanthropus and describing a noble act of generosity on the part of Archibald Sealer, who is called "one of the hardy sons of the

North, who has been for these forty years the sport of Dame Fortune and has combated with adversity in almost every quarter of the globe, but who, at length, by the adventitious appointment of a friend to an office of importance and trust, has been transported to the once flourishing capital of Bengal, from which period the dawn of his successes began. He has lately made a settlement of one lac of rupis on Pulbandi's children." Yet, Sir J. Stephen tells us that Impey was like many English judges!

The inquiry into the Rani of Bardwan's charges was resumed in March, and one of her letters is dated 10th March, *i. e.*, one day before Nanda Kumar brought his charges. Birju Kishor, the Rani's diwan, was taken before the Board on the 14th March, and compelled to admit accounts in which a large number of bribes were set forth. He admitted papers showing a gift of Rs. 5,000 to Kanta Babu, and of Rs. 500 to his "mate," Kista Charan Chatterjea, but denied Ex. D in which Rs. 15,000 were set down as paid to Hastings. Dayaram Baral, however, a servant of the Raj, deposed that Ex. D was in his handwriting, and that Birju Kishor had directed him to write it. Nanda Kumar may not have instigated these charges, but he was the enemy of Graham and he had formerly been in charge of the Bardwan district. His connection with Bardwan is also shown by the fact, that at the forgery trial, Sadaraddin stated that when he was munshi to Mr. Graham at Bardwan, he frequently had occasion to see Nanda Kumar's seal, and that it was from this that he was able to recognize it on the receipt Ex. F. Mr. Gleig takes the view that the Rani was encouraged by Nanda Kumar's success to attack Hastings, for he says, it was not till the success of Nanda Kumar's devices spread abroad that she openly took the field against the Governor-General. On 17th March, the majority, in spite of Hastings' opposition rewarded the Rani by giving her and her son khilats.* That Hastings saw a storm gathering against him from all quarters, appears from a letter of 25th March, in which he says: "The trumpet has been sounded, and the whole host of informers will soon crowd to Calcutta with their complaints and ready depositions. Nanda Kumar holds his darbar in complete state, sends for zamindars and their vakils, coaxing and threatening them for complaints, which no doubt he will get in abundance, besides what he forges himself."† The prognostic was right, for on 30th March, a new charge was brought before the Board by one Zin-al-ab-din Khan, accusing

* The compliment to the Rani consisted of a pair of fine white shawls and an elephant.

† Macaulay was probably thinking of this, when he wrote the paragraph beginning—"The natives soon found this out."

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Hastings of appropriating two-thirds of the salary of the faujdar of Hugli. In one sense, this was a more serious charge than the others, for the money was the Company's and not merely that of Mani Begum, or other natives. The charge was apparently true, but true or false, the majority acted on it and dismissed the faujdar. On this occasion, too, Hastings dissolved the Council. The faujdar, in humble imitation of Hastings and Kanta Babu, tried to evade appearing before the Board, and when at last he did so, refused to be sworn. He, however, did not escape so easily as his exemplars. Sir J. Stephen says that Nanda Kumar was not concerned with this matter, at least ostensibly, but Barwell's letters, which he has published, show that Nanda Kumar was believed by Barwell to be very much concerned in the matter indeed. He says that Zin-al-ab-din was Nanda Kumar's instrument, and that when the faujdar was dismissed, Mirza Mehndi, who had been Nanda Kumar's servant on Rs 20 per month, was, at the recommendation of the latter, appointed to the vacant post on a salary of Rs. 3,000 per month.* It was clearly necessary that Hastings should do something to stop the torrent of accusations, and as he considered Nanda Kumar the prime mover in them, he naturally dealt first with him. It was only by striking terror that he could avert destruction.† Mahomed Raza, Mani Begam,

* Barwell omits to mention that this was but the half of what Khan Jahan got. Hastings also spoke of Mirza Mehndi as a creature of Nanda Kumar (letter of 20th May 1775), and he turned him out and restored Khan Jahan as soon as Monson's death gave him a majority again. (*Proceedings* of 8th November 1776)

† When the majority taxed Hastings with having taken up the conspiracy charge in order to defend himself against Nanda Kumar's accusations. Hastings admitted the allegation, and was very angry with the majority for objecting to his tactics. On 18th May he writes—"My adversaries have placed me in a situation peculiarly difficult and delicate. They have made me the butt of unceasing persecution for these seven months past, and have called down the whole host of informers from every quarter of Bengal against me. Yet when I have endeavoured to bring to justice men charged with a conspiracy to ruin my fortune and blast my character with forged and hellous accusations, the same charge is retorted upon me by the gentlemen of the majority, although in all their most violent attacks upon me, they have made professions of the deepest concern for the honour of the Governor-General, and the prosecution of Raja Nanda Kumar, and others, for a conspiracy is represented by them as having a tendency, which in this connection, can only mean a design or intention to prevent or deter him from persisting in making good those discoveries, which he has laid before the Board. This is the very wantonness of oppression. It is like putting a man on the rack, and exclaiming with him for struggling with his tormentors."

Sir James Stephen remarks: "the prosecution of Nuncomar for conspiracy was regarded by the Council, and was afterwards represented by Burke and Elliot, as a counterstroke to Nuncomar's attack upon him, and no doubt it was so, but why with Kaml's evidence before him, Hastings was not to

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and even the wretched Kamiladdin, were joining in the cry and there was no foreseeing the end. But a resource was at hand. There was the faithful bosom of Sir Elijah Impey, and there were the thunders of the Supreme Court. The employment of this new and strange engine from over the sea, resembled in its effects the artillery invented by the rebel angels, and enabled Hastings to confound and scatter the general, the colonel, and the war-office clerk, as well as the crowd of chattering Bengalis who mustered round their standard.

Granting that the taking the one-and-a-half lakhs from Mani Begam could be defended or excused, it is clear that the Members of Council were not disposed to consider it as justifiable. They were prepared to make Hastings refund, indeed, called upon him to do so, and it is obvious that the fact that the taking of the money could be palliated or even defended would only make Hastings and his friends the more indignant with Nanda Kumar. It was an old story, and had occurred before the Regulating Act was passed or the ex-war office clerk had received his appointment. Surely it was monstrous that it should now be raked up against the Governor! What business had a Member of Council with things which happened in 1772? And if Hastings must be called to account, what would happen to subordinates such as Barwell and Vansittart?*

Nanda Kumar brought his charges on 11th and 13th March and Sir James Stephen says that the Councillors only inquired into them on these two days. Perhaps this was too precipitate, but Hastings was himself largely to blame for it. He would not attend the Council himself, nor would he allow his banyan to attend. I am not convinced that the majority did not act properly in bringing the matter to a head by calling on Hastings to refund. This was to send him a challenge which he might answer, and at all events, the referring of the matter to their law-officers was in accordance with Barwell's opinion, that the Supreme Court was the proper place in which to try

take the matter into Court, I cannot understand. He had no other legitimate mode of self-defence, and this was perfectly legitimate." Neither Hastings nor Sir J. S. has explained how the prosecution of Nanda Kumar for conspiring in *April*, to get up *boonams* (accusations against men in power) could clear Hastings' character of the charges brought in *March*. Is it true that Hastings had no other legitimate mode of defence? Could he not have denied that he had taken the bribes? and could he not have prosecuted Nanda Kumar for libel?

*The extract from Barwell's correspondence with which Sir James Stephen concludes his work, shows the state of feeling in Calcutta. "Even admitting the Governor to have benefited by presents, this mode of putting people upon the rack to accuse him, and paying others with lands, high offices, and honours, for doing so, is a tyranny that must blend falsehood with truth, and make equivocal any testimony thus obtained."

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the question. Sir James Stephen knows that *ex parte* proceedings are generally short, as absence is not unreasonably regarded as a kind of confession. Mr. Sayer thought Hastings' conduct a sufficient proof of guilt. Nor is it correct to say that the only inquiry into the charges was that of 11th and 13th March. When Hastings would not refund or even answer the demand for restitution, the majority made further inquiries. They deputed Mr. Goring to inquire into Mani Begam's accounts in Murshidabad, with special reference, apparently, to the lakh and a half of rupis which she was said to have paid to Hastings, and a great deal of Goring's inquiry referred to this sum. His evidence is to be found in Appendix F. to the Eleventh Report. He there says that Nanda Kumar was under prosecution, and executed while he himself was at Murshidabad on this commission, and he bears testimony to the strong impression made by the execution on the natives there, and to their feeling, that it would thereafter be impossible to bring charges against men in power.

On 27th March, Hastings wrote letters to Graham and Maclean (Gleig, I, 521) which show how terrified he had become. He informed them that he had formed a resolution to leave India and return to England by the first ship of the next season, if the earliest advices from England contained a disapprobation of the treaty of Benares or of the Rohilla war, and marked an evident disinclination towards him. In that case, he says, "I can have nothing to hope, and shall consider myself at liberty to quit this hateful scene before my enemies gain their complete triumph over me. If, on the contrary, my conduct is commended, and I read in the general letters clear symptoms of a proper disposition towards me, I will wait the issue of my appeals."*

Sir James Stephen uses this letter as an argument to prove that Hastings had nothing to do with the prosecution of Nanda Kumar. He says, "a man was hardly likely to plan a judicial murder in order to avoid the possible loss of an office, which he had authorized his agent to resign upon a contingency unconnected with the persons to be murdered." This is hardly fair, for Hastings' meaning clearly was, that matters were going so much against him, that unless he got supported about the

* The appeals here referred to are those made by Hastings to the Court of Directors. When the quarrel between Hastings and the majority had reached a climax, both parties agreed to appeal to the Directors. Hastings talks of this as his last resource, and speaks of making a solemn appeal. (Consultations of 8th December 1774). On this occasion, Barwell drew up a minute which, I think, fully disposes of any claim he might have had to be considered a man of ability. Possibly it was to this that Francis referred when he said that Barwell's style might be gathered from his minute.

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other and former matters, he would have nothing to hope. If backed up about the former matters, *i. e.*, the treaty of Benares, &c., he would hold on and await the issue of his appeals against the majority. This is clear enough from his letter of the same date to Lord North. In this, he says, "agents, chosen from the basest of the people—and none but the basest would have undertaken such an office—have been excited to bring accusations against me, of receiving presents in the course of my former government. These accusations, true or false, have no relation to the measures which are the ground and subject of our original differences; but my opponents undoubtedly expect, that if they can succeed to lower my private character in the opinion of the world, the rectitude and propriety of my public conduct will be overlooked, and that their credit will rise in proportion as mine is debased." (Gleig, I, 518) A similar view is taken in the letter of 25th March 1775, to Graham and Maclean. (Gleig, I, 513.) There Hastings speaks of the new mode of attack which his adversaries have taken up, and says that the object clearly is to divert attention from his opponents' recent conduct, and to fix it on events which long ago received complete approval, and of which the memory is now almost obliterated (*i. e.*, the affairs of Mani Begam and Guru Das in 1772). The attack, too, was one against which his agents could not well defend him, for they had left India before it was made. It is then clear that Hastings affected to treat the question of the receipt of presents as a matter of private conduct only, and was apprehensive of the bad effects the disclosures would have on his credit as a public man. It may be remembered that when a genuinely private matter occurred, namely the intrigue of Francis with Mrs. Grand, Hastings and Barwell used it as a means of discrediting Francis, and were mean enough, as the latter remarks, to send "that business" home to the Court. But Sir James Stephen has made a more serious error than the one just noticed, for he has taken Hastings' letter of 27th March to be the authority on which Maclean tendered Hastings' resignation. No doubt he has been led into this error by Gleig, but it is still an extraordinary mistake. If he had read the letter with care, he must have seen that it was not a resignation letter at all. The word resignation is not mentioned. Maclean received verbal as well as written instructions from Hastings.*

* The subject of the resignation, and of Hastings' repudiation of it, is discussed in an immense despatch of 207 paragraphs (many, however, relating to other matters,) from the Directors, dated 23rd December 1778. It is there said that the evidence of Vansittart and Stewart, was full, explicit and direct on the subject of the power. It appears from para. 26 of this letter that Graham died shortly after his arrival in England (he and Maclean arrived in the spring of 1776) and that consequently, Maclean was in October 1776, Hastings' sole agent.

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In the letters quoted by Gleig (II, 88) he describes his interview with Mr. Becher, and how the latter asked him if he had no formal instrument of resignation to produce. "No," he replied, "I believe neither Mr. Hastings nor any of those who were present thought it a matter of so much formality; if certain things were not obtained, I was ordered to signify Mr. Hastings' wish to be relieved; if they were obtained I was ordered not to make this signification. But the orders were so strict and positive that I entreated, and with difficulty obtained, some latitude as to the time and mode of notifying the intention. I have now notified to you Mr. Hastings' wish to have a successor appointed, and no blame can lie with me now, but that of having ventured so long to delay it. Mr. Becher asked who was present when Hastings gave his instructions. I replied, 'Mr. Graham and Mr. Vansittart heard me receive my instructions; they were communicated to Mr. Stewart next morning.'" This was on 11th October 1776, and on the 16th idem, Vansittart and Stewart were examined by the Directors. Graham could not be examined for he had been very ill, and had gone to Lisbon. (Gleig II, 68.)

Vansittart's account of the matter may be read in his letter to the Court of Directors, dated 13th April 1781. (Authentic copy of correspondence in India vol. VI. p p. 70, et seq. Debrett, 1787.) The letter deserves to be given at length. He says:—

"HONOURABLE SIRS,

Having seen a pamphlet entitled a short Account of the Resignation of Warren Hastings, Esq., in which my name appears as a witness to the authority given to Mr. Macleane, which authority has been disavowed by Mr. Hastings, I think it necessary to state the part I took in this transaction somewhat more at length than is recorded in your proceedings of the 23rd of October 1776. I will not, at this distance of time, undertake to charge my memory with the precise words of my testimony; but I can assert with confidence that it was to the following effect.—That when Mr. Hastings gave his instructions to Mr. Macleane, on his departure from Bengal in the beginning of 1775, he told him he would not continue a nominal Governor without any real power, but was resolved to quit his station, unless by the removal of General Clavering, Mr. Francis, or Colonel Monson, or by the addition of some friend of his own to the Council, the authority was given him as well as the name; and that he authorised him to declare this resolution wherever he thought proper. It is very true, as Mr. Hastings observes in his letter of 15th August, 1777,* that he did not authorise me to give testimony; but it is equally true that he did not forbid my doing it; and therefore, when his Agent, Mr. Macleane, requested it of me, I would not have been justified in refusing. Mr. Macleane wrote to me to beg I would attend in Leadenhall street for this purpose; I came from Berkshire in consequence. I had at the time a perfect recollection of the words Mr. Hastings had used, and I repeated them literally without attempt-

* This is the famous letter saying that no event of his life ever befell him for which he was so little prepared as the news of the notification made by Colonel Macleane.

ing to explain them. It rested with the Court of Directors to determine whether or not they amounted to authority for a resignation. If the original minutes of the testimony I gave to the Chairman, Deputy Chairman, and Mr. Becher can be found, and the instructions to Mr. Maclean, which Mr. Hastings says he has in his possession, are produced the former will appear to be merely a confirmation of the latter.* With respect to the resignation, I understood from Mr. Maclean that it was not intended that Mr. Hastings should be obliged to quit the government immediately on the receipt of the advices from the Court of Directors, but only that he should do it in time to return to England by some of the ships of the season; and it has been mentioned to me in letters from Bengal, that although Mr. Hastings disapproved of the resignation, it was really his intention to have abided by it, till General Clavering's attempt to dispossess him by violence, and the subsequent occurrences, induced him to pursue a different conduct."

In connection with this subject, it may be noted that Hastings in his letter of 6th January 1781 to the Court, informing them that he had appointed Major Scott as his private agent, says that he had particularly provided that he would never suffer any person whatever to perform any act in his name that might be construed to imply a resignation of his authority. "I protest," he says, "against the exercise of so dangerous a power, from its having been assumed upon a former occasion, without being warranted by my consent, or by any previous instructions that could bear the most distant tendency to such a measure."

Maclean showed two papers to three of the Directors, but the letter of 27th March can hardly have been one of them, for it contains nothing which could not have been shown to the whole Court. Besides, it appears that the papers which Maclean showed, were papers written in January, just before his leaving for England. Hastings' letter to Sykes (Gleig II. 155,) in which he professes to endeavour to recollect what his instructions to Graham and Maclean were, and gives his own and Barwell's impression of their substance, is of itself enough to demonstrate that the letter of 27th March is not one of the resignation papers.

Sir James Stephen is inaccurate in saying that the letter of 27th March was written to Hastings' agents in England. At the time it was written, Graham and Maclean were on the high seas, having left Calcutta only about two months.† His object in writing was to tell them that he would not wait for the result of their negotiations. They had been told verbally and also by papers of instructions, to tender his resignation if certain conditions were not complied with, but now he told them

* Hastings in the letter of 15th August, tells the Directors that he has these letters, but I am not aware that he ever produced them. Surely his own words are sufficient to dispose of the question of his agents' powers. On 29th June 1779 he writes, "I believe and think it obvious, that I gave them an unlimited discretion to act for me as they thought best." To Lord North he said that he was not pleased with Maclean's engagement, but that he held himself bound by it and was resolved to ratify it.

† Maclean went home in the Dutton, and in February 1775 had got no further than Madras, having tarried there for instructions from his other principal, the Nawab of Arcot.

in supercession of, or in continuation of, the former instructions that he would quit India by the first ship of the next season, that is, in the cold weather of 1775-6. He evidently contemplated starting before he could hear from them, for he writes that he will contrive to stop at the Cape for intelligence. The date of Maclean and Graham's departure for England is given with sufficient accuracy by Francis in a letter to Lord Clive, of 12th January 1775, in which he says: "Maclean goes home by this mail, along with the Hon. Mr. Stewart." He adds, "They are both commissioned, as I verily believe, to support Mr. Hastings, and do us all the mischief they can. Hastings will assuredly stand his ground till the return of the letters; not from any comfort he enjoys in his office or any real desire to continue in it, but he is afraid of a shot in his rear, and dire necessity makes him face about. He has no possible hope of saving his head, but by suppressing those discoveries, which would be immediately made if he were to keep (leave?) his ground." No doubt it was Hastings' intention to await the return of the letters, and the fact that on 27th March he changed his mind and resolved to quit India at once, shows how much he had been affected by the discoveries of Nanda Kumar. Still more conclusive, perhaps, is the fact, that when Nanda Kumar was sent to jail for forgery, and "in a fair way to be hanged," as Hastings put it, he retracted the resolution of 27th March and resolved to see the issue of his appeal; in other words, to wait for the return of letters. Could anything be more indicative of the connection between Hastings and the forgery prosecution than these two letters, one dated 27th March and the other 18th May 1775? The last letter gives, incidentally, another proof of the connection between Hastings and the prosecution. He tells his friends that after Nanda Kumar's commitment, Ram Krishna, the adopted son of Rani Bhowani, sent an emissary to Kanta, entreating Hastings' forgiveness, and offering to reveal the arts which had been practised on him by Nanda Kumar to compel him to put his seal to the petition. Here, then, was another informer, ready to recant like Kamiladdin, as soon as he saw the danger of attacking the Governor, but he was either too late, or he was faint-hearted, for the General (Clavering) sent for him, and took a second petition from him, and "now," says Hastings, "he is tied down to the party for ever."

Laughlin Maclean was a remarkable man in his way, and merits some description. He was an Indian officer, and seems to have taken part in the campaign of 1764, (Broome's Bengal Army, 450.) Then he went home, and must have acquired some reputation as a pamphleteer, for he is 24th on the list of the 42 persons who have been alleged to be Junius. He returned to India not long after Hastings, being sent, as Francis puts it,

by Sir George Colebrooke, from the cabals of the India house, and the ruin of Change Alley, to control the accounts of the army in India. In plain words, he was made Commissary-General. Then, according to Francis, Hastings wanted an agent in England, and he did not think that Graham and Lawrell should go home without the assistance of some person who understood the political geography of England. So Maclean was induced to resign his place and once more meet beggary and his creditors in Leadenhall Street. He came out to India again, and resumed his employment with the Nawab of Arcot. He was eventually drowned in the *Swallow*. Probably this was fortunate for Hastings, for it prevented the world from ever hearing Maclean's account of the resignation affair. It was under Maclean that Elliot acquired his talents for intrigue, and Macintosh seems to have been a pupil in the same school.

I think that there can be no doubt that Hastings' real reason for refusing to resign was Monson's death in September 1776. This gave him again a majority, for he had a casting-vote. Another reason was the honour conferred on Clavering by appointing him to the Order of the Bath. Maclean and Stewart looked upon this as a breach of the compromise under which they had tendered the resignation, and wrote to Hastings that he ought not to resign. Their letters were despatched from Portsmouth, and apparently before the *Rippon* (in those days spelt thus) sailed, so that Hastings would get them at the same time with the Directors' acceptance of his resignation. It would therefore appear that his agents would have approved of his conduct in refusing to give up the government to Clavering, though it is not likely that they would have agreed to his denying their powers.*

Meanwhile the tender of the resignation had been of great service to Hastings, and was another instance of the marvellous luck which attended him throughout life.† It silenced his enemies, and gave him an easy and honourable retreat. "But for this, Lord North," as Stewart wrote (Gleig, II, 92,) "would

* Hastings has been blamed by both friends and foes for choosing such a fool as Major Scott for his agent. Perhaps he took the best man he could get; capable men with characters to lose would be shy of acting for a principal who might at any time throw them over. It appears from an allusion by Gleig that there was eventually a rupture between Hastings and Scott.

† It should, perhaps, rather be set down as an instance of Hastings' unscrupulous adroitness. He was certainly a wary-wise Ulysses and (to use an epithet of Carlyle) the shiftest of men. The following *bon mot* occurs in Hickey's Gazette. "A courtier being in company the other evening, was desired to give his toast, upon which he gave the Great Mogul (Hastings); but not seeing it go round, he asked where he stuck; upon which a gentleman lately arrived from the mofussil, and who sat next him, drinking off his glass, very coldly replied, "At nothing, by G—d."

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have praised your abilities, and moved the house to prosecute you upon the evidence of Nanda Kumar, and Lord Mansfield would have cried up your code of laws, and mustered all his forces, as he actually did, to go down to the India House to vote against you." No doubt after the danger was passed, Hastings could write ironically about Stewart and Macleane's congratulations, and say, "I am congratulated on the happy issue of the negotiation, in the preservation of my honour, and my fame, and on the complete victory which I have obtained." But the danger was a very real one while it lasted.* As Macleane wrote on 25th June 1776: "My last letter, dated 25th March, and the few lines I got forward in April, would inform you of the very hostile intentions of administration towards you, and of the critical state of your affairs here. But when I wrote those letters, I had no idea of the very great length it was determined to proceed for your removal." Then he goes on to say that the most injurious calumnies were industriously propagated against Hastings, and that in May 1776, it was determined to bring forward again the motion that had been before negatived by the Court of Directors for addressing the Crown to remove Messrs. Hastings and Barwell from their respective stations in Bengal.

Lord North, as an old placeman, foresaw that Monson's death might affect Hastings' willingness to resign, and spoke to Macleane on the subject. Macleane replied: "My Lord, Mr. Hastings is a man of the strictest honour, and one of the warmest friends of the King's government; if, your Lordship will honour me with the confidential communication of your wishes, I will pledge myself to you that, barring unforeseen accidents, your desire shall be conveyed to Mr. Hastings in three months, and that he will cheerfully comply with it." I suppose Macleane was intending to send a letter overland. Perhaps Lord North, when he heard these assurances of the old intriguer, may have wished, like Pascal's friend, that he had some one who would vouch for Macleane's being of the strictest honour! †

* The dangers averted by the resignation were, 1st, that there should be a full inquiry into Hastings' conduct. 2nd, that if he had been removed as was purposed, he could not have been restored without the votes of three-fourths of the Directors, whereas, if he had resigned, a bare majority would have been sufficient.

† Monson was ill for about two months and as his death seemed probable, Hastings speculated on it, as he had done in the case of Nanda Kumar. (Gleig II, 112) His words are: "Having had some time afforded me, by the strong probability which there was of Colonel Monson's death for some time before it came to pass, to deliberate on the consequences of it, I have already drawn the line of my conduct, with the concurrent opinion and advice of Mr. Barwell and Sir E. Impey, and have written to Lord North to inform him of it."

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It will now be convenient to consider whether Hastings ever made any admission of having employed Impey to hang Nanda Kumar.

In 1779 or 1780, Hastings wrote to his friend, Lawrence Sullivan, describing Sir E. Impey as a man to whose support he was at one time indebted for the safety of his fortune, honour and reputation.* The question is, to what do these words refer.

Lord Macaulay held that they could refer only to the case of Nanda Kumar, and that they must mean that Impey hanged Nanda Kumar in order to support Hastings.

Earl Stanhope, Sir John Kaye and Sir J. Stephen hold that they refer to the dispute between Clavering and Hastings about the resignation.

In my humble opinion Macaulay is right, and this for the following reasons: (1.) There is some resemblance between the words of Hastings' letter and those used by him on 29th April 1775, to describe the plots of Nanda Kumar and others. He wrote of these as most base and infamous artifices to ruin his character and fortune. Still more similar are the words quoted above, p. 316 note when he speaks of a conspiracy "to ruin my fortune and blast my character with forged and libellous accusations." †

(2.) Impey took a much more prominent part in the support of Hastings in 1775 than he did in 1777. In 1775 he took up the complaint of Kamiladdin on a private message from Hastings, and he took the principal part in the trial for forgery. It is misleading to say that he was then only one of four judges. As Chief Justice he had a casting voice ‡ and if he had chosen to agree with Chambers, Nanda Kumar would not have been tried under the statute of George II., and he would

* Gleig does not give the date of this letter. It may have been written in 1779, for on January 9th, 1780, Impey was "Dear Sir"—ing his old friend.

† His character would be blasted by the accusations, for they affected his integrity. In 1783 he used a similar phrase to Mr. Droze when referring to a charge against his integrity, and wrote, "My name and fortune would be blasted and ruined" (Gleig III, 18.)

‡ On one important occasion, Impey made use of his casting voice. This was when the Company's advocate applied for a rule to prevent revenue debtors from eluding the authority of Government, by bringing collusive suits in the Supreme Court. This rule could not be granted, says Hastings, without a virtual acknowledgment of the right of the Company to imprison their diwani debtors in the town of Calcutta. This question was raised in Kamiladdin's case. At that time, Hastings had reason for supporting Kamil, and therefore did not side with the majority. In November 1776, he was of a different opinion. Impey and Chambers were in favour of the rule, and it was therefore granted by virtue of his casting vote, in spite of the protests of Lemaistre and Hyde, who drew up twelve articles of objections to it. (Gleig II, 117.)

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have been respited after conviction. I know that this latter point has been doubted, but we have it on the testimony of Captain Price who was on the grand jury, and who seems to have been present throughout the trial. He says, "Sir Robert Chambers, one of the judges, did move his brethren to postpone the execution until His Majesty's pleasure should be known." He goes on to say that Sir Robert withdrew his motion on account of Radha Charan Mitra's case and of its having been shewn to him that Nanda Kumar's name headed the petition in that case. The latter part of this statement is incorrect, but it is likely enough that the case was referred to. Price adds that he is sorry that Chambers withdrew his motion, although he does not think that it would have made any change in the opinion or conduct of the majority. It was Impey who presided as Chief Justice at the trial; it was he who charged the jury, and according to Brix (one of Nanda Kumar's counsel) he spoke as if he was supreme, for he said that if Kista Jiban had not prevaricated after the evidence was closed, *he* would have directed the jury to find Nanda Kumar not guilty. It was Impey who was publicly thanked by the grand jury and the merchants for his conduct in the trial, and whom they asked to sit for his portrait, and he in turn accepted the compliment as specially addressed to himself. He said: "I entertain the highest sense of the great honour done me by the marks of esteem which you are pleased particularly to address to me. It is with the greatest alacrity that I accept of the honour proposed me" (having his portrait taken). *

(3.) It seems to me that Hastings' mind was running on the occurrences of 1775 when he was writing to Sullivan, for he went on to speak of Chambers as one "who has made no scruple to avow himself my enemy. God knows why." Now, how had Chambers shown himself Hastings' enemy except in the affair of Nanda Kumar? In the resignation question, he concurred with Impey, Lemaistre and Hyde. If, too, the case was so clear that even an enemy concurred in holding that he had not vacated the government, what reason had Hastings for being specially grateful to Impey?

(4.) The judges did not decide that Hastings was right in disavowing his agent, and that in fact Maclean had exceeded his instructions. If they had done this, Hastings might have said that they saved his honour and reputation, but the fact is that

* Impey's letter to Governor Johnstone, which Sir J. S. has published, is the best comment on the remark that he was only one of four judges. He therein clearly intimates that he could have saved Nanda Kumar, and says nothing about being prevented or overruled by the other judges.

they never touched this point. It was not referred to them, and they had no materials for judging of it, as Maclean was not in India then, for there is a letter from him (Gleig, II., 98,) dated London, 12th May 1777. The judges, therefore, could not examine him, nor could they examine Vansittart or Stewart, or see what they had said. In August 1777, Hastings said in his letter to the Directors that he had copies of two papers of instructions to Maclean, but he did not produce them then, nor apparently at any subsequent time, and at the time of the reference to the judges, in June, his story was that he could not find the papers. (See his letters of 25th June 1777 Gleig, II., 155, where he says that he could not distinctly remember what instructions he had given to Graham and Maclean, and that if he had kept a copy, he had mislaid it.) The whole of the proceedings in India are published in appendix No. 14 to the ninth report of the House of Commons, and we there have a list of the papers submitted to the judges. Hastings' alleged instructions are not among them, and in fact, all that the judges got were the papers which had come out in the *Rippon*. The judges gave their decision late on the night of the 28th June, and what they said was :

"Upon mature consideration of the papers submitted to us, we are unanimously, clearly, and decidedly, of opinion, that the place and office of Governor General of this presidency has not yet been vacated by Mr. Hastings ; and that the actual assumption of the Government by the member of the Council next in succession to Mr. Hastings, in consequence of any deduction which can be made from the papers communicated to us, would be absolutely illegal for the following reasons :

"(First,) because the office of Governor-General was conferred on Mr. Hastings by act of parliament, and according to the tenor of that act can only be vacated by death, removal, or resignation. That Mr. Hastings is not dead is a notorious fact ; no intention is manifested, or act done by the Directors in the least tending to his removal ; and we are firmly of opinion that he hath not actually resigned."

"(Second.) Col. Maclean's letter, the only instrument by which Mr. Hastings can by any one be conceived to have relinquished his office, is in fact no resignation, but a notification of the Governor-General's desire to resign. His words are, speaking of Mr. Hastings, he has authorised, empowered, and directed me to signify to you his *desire to resign* his office of Governor-General of Bengal, and to request your nomination of a successor to the vacancy, which will probably be occasioned in the supreme council. He neither asserts himself to be authorised, nor does he take upon himself, in fact, to make any actual resignation ; he only intimates an intention of the Governor which is to take place in future. He does not request a nomination of a successor to a vacancy which he had by his letter effected, but of that which would in future be occasioned by Mr. Hastings's carrying his intent into execution and actually resigning."

"(Ninth.) Another circumstance which strikes us most forcibly is that the Court of Directors, aided as they are by the best legal advice must have known that if Mr. Hastings had in October last vacated the office of Governor-General he could have had no legal voice in the council here." Finally, they say we have given the papers and subject a

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consideration which has taken up several hours, * wishing to deliver such an opinion as from the reasoning of it, not from its authority, might claim weight sufficient to prevent the fatal consequences of a divided government, but we do assure you that none of the time hath been taken up by settling a difference of opinion. There is not one point in which from the first to the last we have not entirely concurred. We transmit it in strong hopes that it may have the effect, the consideration of which could only have led us to give an opinion at all ; and most ardently pray to God that it may avert the mischiefs which seem to impend over the East India Company and this country."

I submit that this account of the matter does away with the idea that Hastings was specially indebted on this occasion to Sir Elijah. If the latter had gone against him, the decision would still have been in Hastings' favour.

The Judges' opinion on the resignation question is an able piece of lawyers' work, but I do not think that it can be regarded as sound. It has too much of the refining and quibbling about words, which seems to have characterised Impey's habits of thought. Though the Judges were unanimous, yet their view cannot carry as much weight as that of the Court of Directors, for their opinion was formed hastily, and without taking evidence. They only sat one night, and the pressure on them to save the peace of the settlement at any cost was not favourable to calm deliberation. They also, in a manner, prejudged the question, for they assembled at the instance of Hastings and Barwell before the point had been referred to them by the other side. As Macaulay says, Hastings risked nothing by proposing the reference. The Directors, on the other hand, had more than one consultation, and though Maclean's letter was presented on 10th October, they did not accept the resignation till the 23rd idem. The judges surely made too much of the words "desire to resign." How else can a servant intimate his resignation? He cannot resign when he likes, and etiquette, at least, requires that he should express himself as desiring to resign, and not as actually resigning. When a civil servant resigns in India, I apprehend that he writes that he wishes to resign, and asks that his resignation may be accepted. Especially would this be so, when, as in Hastings' case, there was talk of removing the officer, and the resignation was tendered as a means of avoiding dismissal. Besides, Maclean's letter only opened the negotiations. It was not itself the instrument of resignation. On getting it, the Directors inquired into Maclean's powers, took evidence, and accepted the resignation. Maclean must then have adhered to the statement made in his letter of the 10th,

* The judges assembled at the Chief Justice's house, at 6 p.m. 20th June, and according to M. Grand, they did not separate till four next morning.

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and have carried the negotiation to a close. He was present at the subsequent proceedings; it was he who produced his instructions before the three Directors, and it was he who got Vansittart to come up from Berkshire and give evidence. He never showed any wish to resile from his intimation of the 10th, or to claim a *locus pœnitentiæ*. In spite of the authority of Mr. Thornton, who has given a very full account of the resignation proceedings, it seems to me that the authors of the ninth report are correct when they say: "It was extraordinary that the nullity of the resignation should not have been discovered in England, where the act authorising the resignation then was; where the agent was personally present; where the witnesses were examined, and where there was, and could be, no want of legal advice, either on the part of the Company or of the Crown. The judges took no light matter upon them in superseding and thereby condemning the legality of his Majesty's appointment, for such it became by the royal approbation." Though Claveing and Francis loyally acquiesced in the decision of the judges, they drew up a minute showing the reasons for the view they themselves took. There they say: "If the words 'a desire to resign' formally signified to the persons empowered by law to accept such resignation, and to fill up the consequent vacancies, do not signify a real resignation, they may be converted into any other sense; they may be understood to imply an unlimited power of continuing in possession." They add; "It is sufficient for us, however, that the Court of Directors understood the words as a real resignation, and unanimously accepted it accordingly." It seems to me that these words contain the conclusion of the whole matter. Granting that Maclean had exceeded his powers, still, when Hastings' masters had found that he had resigned, he should have submitted. He could not be justified in referring the matter to a tribunal which had no legal authority in the matter.

(5) The judges did not fully support Hastings on the occasion and he was only half-pleased with them. He and Barwell voted Claveing out of the Board and out of the Commander-in-Chiefship, on the ground that he had given up his seat and that he had failed in proving his title to the Governor-General's office. The judges, however, declared that Hastings and Barwell had no right to declare the seat of any member of the Council vacant. Hastings' letter to Sullivan, (the friend to whom that of 1779-80 was addressed) shows how much he was dissatisfied with "the support" of the judges on this occasion. He says, "when they had so decidedly pronounced the first act of General Claveing illegal, we had no conception that the judges would again interpose their authority to replace him in

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his former office. Besides, the indecent terms in which the General and Mr. Francis had combated their first opinion, afforded so strong, and in some respects, authoritative grounds for the belief that the judges would refuse to answer any more references. There was no occasion for it."

Mr. Impey not unfairly appeals to his father's conduct on this occasion as proof of his perfect impartiality and independence of the friendship of Hastings. Would such lame and half-hearted support as this be likely to be characterized by Hastings in the strong language quoted by Macaulay?*

The resignation by Maclean as agent for Hastings, and the proceedings which followed thereon, are about the most intricate and interesting part of the whole Hastings' drama, but they are an episode on the gigantic scale of those in the Mahabharat, and would require a volume for their adequate treatment. They are quite a study in the matter of conflicting evidence. It has generally been said that the Directors acted hastily in accepting the resignation, but their proceedings were marked by considerable deliberation. They, too, had lawyers whom they consulted, and the matter was properly before them, whereas the Calcutta Judges were interlopers.

Maclean's letter to the Court was written on the 10th and received on the 11th October, when it was resolved that the matter should be taken into consideration on the 18th. On that day Maclean was called in, and told that the court desired to be informed of the authority under which he acted in a point of such very great importance. He produced some papers to the three Directors appointed to examine them, and said he had more. The affair was again adjourned to the 23rd. Among the papers was one in the Governor-General's own handwriting stating that he would not continue in the Government of Bengal unless the conditions therein specified were complied with. Probably this was the original of the paper referred to by Hastings in his letter of 15th August 1777, as being in his possession, and which, according to him, comprised four short propositions which he required as the condition of his being confirmed in the Government. It has been well remarked by the Directors and by Mr. Thornton, that this reference to confirmation is most extraordinary, for Hastings was then as confirmed in the Government as he possibly could be. The regulating Act mentioned him by name as the Governor-General, and when Hastings was disputing with Clavering, he sent an extract from this Act to the judges to prove that he had been formally made Governor-General by Act of Parliament,

* Mr. Merivale says, "It must fairly be admitted that the judges did their best to repress violence on both sides, and maintained the authority of law, as well as saved the peace of the settlement."

and so could not lightly be turned out. On the 23rd October the Directors accepted the resignation, and nominated Mr Wheler to the seat in the Council which would become vacant. This referred to the fact that under the Regulating Act (Section 10) if the Governor-General resigned, his place was to be supplied by the senior councillor. Lord Macaulay is altogether wrong in saying that Wheler was fixed upon by the Directors to succeed Hastings, and that they sent out orders that General Clavering should exercise the functions of Governor-General till Mr. Wheler should arrive. He is also incorrect when he says further on, that Wheler came out expecting to be Governor-General, and was forced to content himself with a seat at the Council-board. Wheler could never have imagined that he was to be Governor-General. Neither the Directors nor the Ministry could fill up that appointment, for the Act had already prescribed what should be done for the remainder of the term of five years for which the new constitution was in force. If, therefore, Hastings had resigned, Clavering did not require any commission to make him Governor-General. He succeeded at once by the fact of his being the senior councillor. Wheler was appointed to fill the vacancy which would be caused by Clavering's promotion, but when he was at Portsmouth he heard of the death of Monson, and posted back to London, and got a fresh appointment to succeed Monson. This probably was, as Thornton points out because Monson was nearer the Presidential Chair. Wheler's first appointment would have brought him in behind Francis and Barwell, but the new one made him the senior member. Maclean thought that this proceeding of Wheler's invalidated the proceedings, for Hastings was now left without a successor and so could not resign, but he was not aware that Wheler resigned his first appointment just before quitting the shores of England, his letter being dispatched from the Start. The above narrative shows, I think, that the Select Committee of the House of Commons were correct in remarking that the Directors showed themselves extremely punctilious with regard to Mr. Maclean's powers. They add, that the Directors probably dreaded the charge of becoming accomplices to an evasion by which Mr. Hastings, resigning the service, could escape the consequences attached by law to a dismissal. I may here note that some able remarks on the resignation question will be found in my father's "History of India." Thornton is fuller, but the question can only be thoroughly studied in the appendices to the ninth report.

Wheler's nomination was approved by the King, and the Court of Directors sent out the proceedings, together with a postscript dated the 30th October 1776, to Calcutta. The

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dispatches were carried out in two of H. M.'s ships, the *Rippon* and the *Cormorant*. The *Cormorant* was the first to arrive, and her dispatches were received and read in Council on the 19th June. Clavering and Francis expected that Hastings would at once surrender his post, but he said nothing, and the Council broke up. Clavering waited till ten next morning, but not hearing anything from Hastings, he then wrote him a letter, addressed, "Warren Hastings, Esq.," calling on him to give up the keys of the Fort, etc. Though the dispatches were not received till the 19th, their contents were known beforehand. On 14th June, Hastings got his letters from Maclean. They were brought by Macintosh, whom Maclean had employed for the purpose, and who is always represented by Hastings' friends as having been only the paid agent of Francis. Macintosh came out in the *Rippon*, but left her at Madagascar. How he came on from there I do not know, or even if he did come to India then. According to Francis, Sir Edward Vernon facilitated the manœuvre by sending on the *Cormorant* from the Cape before Macintosh.* Clavering and Francis did not get their letters

* According to *The Travels in Europe*, &c., Macintosh did not leave Europe till 1778, and did not arrive in India till 1779, but I still think that the Macintosh referred to by Hastings must be W. M., for Price calls the latter an intimate friend and fellow-labourer of Colonel Maclean. Macintosh's letter, too, to Hastings, of 17th November 1778 (1,165) reads as if he had been previously acquainted with him.

Sir J. Stephen's rashly calls (2-97 note), Francis an habitual liar, because he denied that he had employed Macintosh to say or do anything for him in England. Sir J. S. ground is Mr. Parkes' discovery that Francis paid two sums of money to, or for, Macintosh. One item is a payment to Almon the bookseller, and, I suppose, Sir J. S. seized upon this as proof that Francis paid for the printing of *The Travels in Europe*, &c. Unfortunately for this view, Almon was not the publisher of *The Travels*. They were published by Murray of Fleet Street, and in 1782, and not in 1781 as Sir J. S. says. Francis arrived in England in October 1781, and he wrote the letter to Wheeler in which he denies the agency on 18th January 1782. The payment to Almon for Macintosh was in December 1782. The first payment, dated 18th January 1782, is of £1,078, far too large a sum, I think, he paid for *The Travels*. There is, in fact, very little about Francis in the *Travels*, and I presume that Sir J. S. has never seen the book, and has been misled by Mr. Merivale's statement, that they run minutely into defence of Francis. I cannot believe that Francis would have given as much as £5 for such help as Macintosh could give to his cause. It seems to me more likely that the £1,078 were paid to Macintosh for services connected with Mrs. Grand. It seems (*Quarterly Review* for December 1848, p. 70) that he took her home, and he may have arranged for her support in France. Dr. Busted's conjecture that Mrs. Grand went home with Tolfray is probably not correct, for the lady mentioned in *Hickey's Gazette* is a Mrs. G—d—, so that the name was a dissyllable. It is pretty clear that Mrs. Grand went home early in 1780, and it is possible that the entry in Francis' journal, of 17th March 1780 "despatch the *Ceres*," refers to her. The *Ceres* joined at the Cape the fleet in which was Macintosh's ship, the *Ganges*.

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till the 19th June, if even then. They heard nothing till some hours after Hastings had received his letters, and then, apparently, they heard only indirectly, and from a friend in India. "At midnight of 14th June," says Francis, "received a letter from Colonel Leslie that an express was just arrived with notice of Hastings' resignation, and the red ribbon for Clavering." These facts should be remembered when Clavering is taxed with precipitation. No doubt he was wrong in demanding the keys from Hastings, and in treating him, by his style of address, as one already in a private station, but he had cause to be angry. Hastings was not at all taken by surprise by the packet of the 19th June. He knew about the matter five days before, and he actually alluded to the news in Council on the 17th June, and spoke of the approaching change of government, and gave the prospect as a reason for proposing to cancel an appointment made on the 13th idem: (Gleig II, 165, and Francis II, 86.) Clavering overran his game, and so lost it. Hastings always asserted that he held on because of Clavering's "brutal outrage," and that otherwise he would have held himself bound by Maclean's engagement, and was prepared to ratify it. He by no means took a cheerful view of his position after the judges had decided in his favour, and does not express any gratitude for support, except for Mr. Barwell's (about whom he is very warm, Gleig II, 167. *) He writes that he shudders at the consequences of departing from the letter of Colonel Maclean's engagements, and dreads, equally with death, the thought of entering into a new scene of indefinite contention.

Sixth, and lastly, I would ask how Hastings' victory in this resignation affair involved the safety of his fortune, honour and reputation? How was his fortune saved, or his honour, or his reputation, by the decision of the judges? It still left him shuddering at the consequences of disavowing Maclean.

On the other hand, there can be no doubt that the hanging of Nanda Kumar did tend to the safety of his fortune and his honour. Sir J. Stephen rejects Macaulay's view as being revolting and improbable. He complicates the matter by introducing a letter of Impey to whom Macaulay made no allusion. Impey might not like to refer to the matter, but there is not the same improbability in Hastings' doing so. Sir J. Stephen's view requires two assumptions for its support. (1.) That Hastings employing

* "From the 20th to the 23rd Mr. Barwell and myself were inseparable. We fortunately lived under the same roof. Here I must stop for a moment to indulge myself in acknowledging the gratitude which I feel for the unremitted support which I have received from his friendship which never exerted itself with a greater warmth of attachment than on this trying occasion."

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Impey to hang Nanda Kumar was a revolting, abominable, and horrible crime. (2.) That Hastings would recognize it to be so.

Now, though I think Hastings' conduct criminal, I would hardly characterize it as revolting or abominable. Moreover, according to my view, Hastings had taken the bribes: if I thought with Sir J. Stephen that he was innocent, and that Nanda Kumar's charges were false, I would judge him still more leniently. At any rate, we have two Englishmen of undoubted honour—Lord Macaulay and Sir John Kaye—declaring that even if Hastings was the real prosecutor, his conduct was not very bad and was far from being shameful. Macaulay says that it cannot with justice be reckoned among his crimes, and Kaye says: "We should not be inclined to judge him (Hastings) very harshly if he were" (the real mover in the business); and then adds, "but for Impey there could have been no valid excuse, if he really became, as alleged, the judicial tool of the Governor-General."

Native opinion thought Hastings the real prosecutor, but native opinion, as represented in the *Sair al Matakharin*, did not blame him.*

Why should we suppose that Hastings, who sacrificed the Rohillas and the Begams, whose conduct to Chait Singh was so bad that even Pitt was at last compelled to throw him over, should feel squeamish about alluding to the hanging of Nanda Kumar? He looked forward to it with pleasure, writing on 18th May, that the "old gentleman was in jail and in a fair way to be hanged." It seems certain, also, that after the sentence, he employed his private secretary, Belli, to thwart Farrer in his endeavours to get up a petition for mercy.

Hastings wrote his letter to Sullivan long after the event, but under the influence of strong feeling. His words are: "I suffer beyond measure by the present contest, and my spirits are at times so depressed as to affect my health. I feel an injury done me by a man for whom I have borne a sincere and steady friendship during more than thirty years, and to whose support I was at one time indebted for the safety of my fortune, honour, and reputation, with ten-fold sensibility. And under every consciousness of the necessity which has influenced my own conduct, and the temper with which I have regulated it, I am ready to pass the most painful reproaches on myself on the least symptom of returning kindness from him." If Impey did hang Nanda Kumar in order to save Hastings, we cannot

* M. Raymond dedicated his translation of the *Sair* to Hastings in 1787, and he makes no comment on his author's view that Hastings was the prosecutor.

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doubt that the latter would feel grateful to him, and an expression of his feelings might easily slip out in an unguarded moment. In considering the correspondence of the two men at this time, it is instructive, and I think, characteristic of their natures, to find that what Hastings felt was sorrow at being injured by a friend who had once been his benefactor, while Impey's feeling was indignation at Hastings' ingratitude and at his breaking his promises. The allusion to the promises is very curious, and in my opinion, suspicious, especially as Impey said it was no recent affair. "Hastings," he wrote to Thurlow, (Impey's Memoirs, p. 184.) "had repeatedly given him positive promises of private confidence, and had assured him that no acts should proceed from him hostile to the Court." At p. 182 he says that these allusions to former conversations had no reference to late conversations, but referred to former declarations from him to me that during his government no act hostile to the Court should be done, and that rather than commit himself to a contest with the Court, he would leave his government. In a similar strain he wrote to Dr. Fleming, that Hastings' present conduct was diametrically opposite to repeated and warm promises. So also he wrote to Dunning complaining that the power exerted against him would not have been in Hastings' hands, if he had not helped to keep it there. The whole tone of his complaints seems to me low and sordid, and just what we might have expected from Impey. "I helped Hastings once, and therefore," he seems to say, "he is bound to help me now whether I am right or wrong." It seems to me that if Impey could venture to allude to promises of Hastings to support the Court through thick and thin, and whether it was right or wrong, he might also venture to allude to what he had done in fulfilment of his part of the bargain. The promises to which Impey refers must, I think, have been made after the Nanda Kumar charges, for in 1774, Hastings did not scruple to oppose the Court. The first conflict between the executive and the Court took place in November 1774. This was on the occasion of the Court's granting a *habeas corpus*, directing one Khwaja Cavorke, residing at Sataluri, in the district of Bakarganj, to produce fifteen men whom he was said to have confined. Jarret, the Company's attorney, sent on 17th November a copy of the affidavit on which the writ had been obtained, and on the 21st *idem* Hastings drew up a minute representing the danger to the revenue if such processes were issued, and the result of this was that the Dacca Council was written to and told to instruct Cavorke to disobey the writ. The Board seems to have written twice on the subject, and their words on the second occasion are : "As this is of great importance as well as delicacy, we once more recommend the greatest punctuality and prudence in

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carrying these orders into execution, and that you take care that the Armenian behave with the greatest decorum and circumspection in refusing his obedience to the writ, and that he put it merely on the ground of his not being amenable to the jurisdiction of the Court." In January, there was another case of the issue of a *habeas corpus* directed against one Bacha Ram, an inhabitant of Birbhum, and in this, too, I think, Hastings did not side with the Court. A change seems to have come over Hastings in May 1775, for we find him then broadly stating that he would object to every interference of the Board with the Court. The point was, whether the judges had ordered that Nanda Kumar should be confined in the common jail, and Monson proposed that the Sheriff and his deputy should be called in and asked to show the warrant. As a matter of fact the warrant did not specify the common jail, as very probably Francis knew, through his brother-in-law, but of course it was necessary that the warrant should be formally before the Board.

Hastings said, "I object to the motion, as I shall to every interference of this Board with the authority of the Supreme Court." Here, I think, we see Hastings fulfilling his compact, and doing so in a very zealous way, for the motion did not interfere with the Supreme Court. The motion only proposed to examine the Sheriff as to what orders had been issued, and moreover, the warrant had not been issued by the Supreme Court but by Lemaistre and Hyde as justices of the peace. However, it threw Lemaistre and Hyde into a state of the highest indignation, and made them give vent to their feelings in a travesty of an ode of Horace. Just and tenacious, they say, of the great purpose for which it was his Majesty's pleasure to send us to this country, neither the tumultuous clamours of the multitude, nor the angry tyranny of authority shall ever move us, etc., etc.

Hastings gave another proof of his staunch adherence to the Supreme Court in the matter of Kamiladdin in July 1775, when he refused to oppose the issuing of the writ of *habeas corpus*. His conduct on this occasion is the more noticeable, as he must have thought the Court wrong, for he afterwards got Impey to concede the point involved in it. This defection of Impey was bitterly resented by Lemaistre and Hyde, who no doubt could see no reason why the precedent of Kamiladdin should be departed from. Perhaps Impey reconciled his decisions in the two cases by saying, that Kamiladdin was released because the return to the writ was imperfect, as it did not claim a right to imprison without bail or mainprize. The antinomy could not, however, be got over in this way, for when Kamiladdin was released on the first occasion, because the return to the writ was defective, the Calcutta Council

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arrested him again. This was viewed by the Supreme Court with great indignation, and the Council was threatened with punishment for contempt of court. They even took upon themselves to pronounce that the Council must proceed first against Kamal's sub-lessee, Basant Rai.* Hastings again showed his zeal for the court by making an affidavit against Radha Charan Rai's claim to be an ambassador, and so exempt from the jurisdiction. Hastings' making an affidavit on this occasion was the more remarkable that he himself was the prosecutor. It is significant, too, that after he had gained his object by swearing, and getting his friends and dependants, Vansittart and Lane to swear that the Nawab was not a sovereign, and had no power, he turned round three years later and asserted that the Nawab had an unquestionable right to the Nizamat, that is, to the military power, and the control of criminal justice. (Vide Mill, IV, 27, note.) Hastings' motive for the change of view was that he now wanted to punish Mahomed Raza Khan, who had been so ill-advised as to side with the majority, and even to become Francis' most powerful agent. See Hastings' every plain-spoken letter to Sykes who had been a patron of Mahomed Raza, and who might be supposed to be dissatisfied with Hastings' treatment of him. (Gleig, II, 189.) In this letter Hastings takes credit for having conducted the inquiry against Mahomed Raza in a perfunctory manner, his words being: "My behaviour to him while he was under the displeasure of the Company, was as kind as it was possible to be. I received the informations which were produced against him, but I neither sought nor encouraged them beyond the first publication of the Company's orders." I submit that this letter gives support to Nanda Kumar's charge, that Hastings did not properly inquire into the case of Mahomed Raza Khan. As illustrating Hastings' duplicity, it is worth while to contrast his letter to Sykes with that to Sullivan in 1774, (Gleig, I, 391) in which he says, "I have taken every measure, by proclamation, protection, and personal access, to encourage evidences against him, (Mahomed Raza Khan)." The only argument against the view that Hastings' letter refers to the Nanda Kumar trial is, that it is unlikely that he would make such an allusion. Such an argument appears to me worthless. Has not Sir J. Stephen told us that the murderer, Donellan, hastily, and under the pressure of irritation, let fall that he had poisoned his brother-in-law?

For these reasons I hold that Macaulay's intuition† was

* Basant Rai was also the name of the fictitious lessee of Barwell's farm in the Dacca district. Was this the same man?

† Merivale justly praises Lord Macaulay for his "sagacity in deducing right conclusions from imperfect knowledge." He was like Newton, who could see the propositions of Euclid while they were yet wrapped up in the definitions and axioms.

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right, that Hastings was referring to the Nanda Kumar case, and that he accidentally and virtually confessed that Impey had hanged Nanda Kumar in order to support him.*

TRIALS FOR CONSPIRACY.

I now proceed to describe the trials for conspiracy. These like the forgery-trial, have a long history which has been very imperfectly told by Sir James Stephen.

In order that the cases may be fully understood, it is necessary to summarise the evidence given by General Clavering in the prosecution by Barwell (1289.)† Clavering began by saying that shortly after his arrival in India, Mr. Elliot offered to become his interpreter. In answer to this Clavering said he intended to employ an interpreter who was then with the army, and of whom he had heard a very good report. (It will be remembered that Clavering was Commander-in-Chief and was probably entitled, as such, to the services of an interpreter. I presume that the interpreter he referred to was Mr. Roberts.) Elliot submitted to this reply, but offered his services till the regular interpreter arrived. They were accepted by Clavering, and he used to make over all his Persian correspondence to Elliot.

Then there arose divisions in the Council, and Elliot became Hastings' Private Secretary. This made it unpleasant for him to interpret for Clavering, and he represented this to the General about a month after his original offer of his services. "Mr. Elliot," says the General, "opened himself to me, and told me in a very honourable manner, that I must be sensible, from his close connection with the Governor-General, how unpleasant a thing it would be to him to accept of such a trust from me." Still Elliot was willing to translate such papers as were sent to him, and Clavering continued to employ him. After this, sometime in the middle of November, (the report says January, but it is clear from the next page that November is meant,) as Clavering was going to the Council-house, he was waylaid by a number of *malangis*, or salt makers, who surrounded his palki and nearly upset it. The General stopped, and they gave him an English petition which he read on his way to the Council. He saw in it evidence of what he thought a very gross abuse of power, and as other petitions had been presented to him in the streets, and been laid by him before the Council without any notice having been taken of them, he resolved to inquire into this one himself, as well as he could. He therefore sent his servant to the salt-contractor's house to tell him to come to the General's on his return from Council. This salt-contractor was

* I was formerly inclined to think that Hastings' remark referred to the resignation, but further reading and reflection have changed my opinion. † Numbers thus simply bracketed, refer to the columns in Howell.

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not, I believe, Kamaladdin,* for the malangis belonged to the 24-Parganas, and Kamaladdin was farmer of Hijili, and probably had nothing to do with the 24-Parganas.) When the contractor came, Clavering found that he needed an interpreter; the man teased him, he says, with evasions and contradictions, and so he sent for Mr. Fowke, and referred the complaint to him. "I did so," he says "on account of Mr. Fowke's being a person of whose honour and integrity I had the highest opinion; more from general report which his reputation bore in England, than from any personal acquaintance with him here." Here I may remark that other persons besides the General gave Fowke a high character. Colonel Thornton did so, and even George Vansittart. Hastings himself admitted that he never heard of his doing any dishonest, or dishonourable act. Yet this is the man whose evidence Sir James Stephen rejects in favour of that of Kamaladdin!

The salt-contractor did not like the cases being referred to Fowke, and complained to Hastings. Next day when Clavering presented the petition to the Council, the Governor-General reproached him warmly for taking up a business in which he was so immediately concerned. Clavering did not understand his allusion at first, and Hastings said "you must know that Captain Weller was connected with me." Clavering replied that he had been entirely uninformed of it, till Mr. Fowke had told him of it after the examination of the malangis. "The Governor then said many things against Mr. Fowke, but as Clavering did not see why Fowke should not have told him about the affair, (Hastings' connection with Captain Weller or the particulars of the malangis' complain), he refused to comply with Hastings' request that he would not trust any more petitions to Mr. Fowke. Some time after this, there was a petition from Varanasi Ghose which Clavering likewise referred to Fowke, after having previously sent to Kamaladdin. This reference produced another complaint of the Governor-General against Mr. Fowke, (the arzi,) requesting again that I would withdraw my confidence from Mr. Fowke; or, at least, that I would not suffer him to examine petitions but in my presence. As this complaint, and the petitions which accompanied it, were to stand upon our

* I find from the impression of Kamal's seal on a petition in the High Court Record-room, that his name was Kamaladdin * * not Kamiladdin. The name means perfection of religion. The seal bears in Persian figures the date 1178. I am assured by a Mahomedan gentleman that this must be a Hijri date, so that the corresponding English one is 1764. Thus then Kamil called himself Kamaladdin Ali Khan a year before the date of Ballaki's bond, and six years before the bond was published. This seems destructive of Kamal's evidence, and especially of his statement that he did not use his title till 1771, or 1772. Besides why did he drop the *Mahomed*, and assume the affix *Din*?

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consultations, it was the opinion of the Council that Mr. Fowke should be desired to come there himself to explain his whole conduct. I assured the Council that if Mr. Fowke had acted improperly in the execution of the trust which I had committed to him, I would withdraw it. But the Governor-General not choosing that Mr. Fowke should come there to explain his conduct, I had no other means left than to examine him myself. At his returning (from Clavering's house ?) I desired him to write a letter to the Council and to give them the same explanation which had satisfied me ; and I think, but am not positive, that I took his affidavit to the truth of the contents of the letter ; but as I still thought that the assertions made by Kamaladdin should not, for Mr. Fowke's honour and mine stand, I desired Mr. Fowke to examine his own servants, who had been present at the examination, and to send their depositions into the Council. The persons themselves being examined, I was of opinion that all the assurances of Kamaladdin were entirely false and groundless. Mr. Roberts, my Persian interpreter, came to me soon after this, and from that time to this day, I am not conscious that I have ever sent one petition to Mr. Fowke."

"From the 15th November to the 20th December, was the only time in which I sent petitions to Mr. Fowke." Hastings' touchiness about Captain Weller is explained by a letter from Hancock to his wife, of 19th April 1772, in which he says that Captain Weller, "whom you know perfectly well," is a member of Mr. Hastings's family.* Hastings deposed, (1179) that Kamaladdin complained to him in December, and said that Vansittart was present on the occasion.

A letter from Mr. Fowke to the Council, dated 18th April 1775, (1094-95), enables us to know that Kamaladdin complained to the Council on 13th December. Fowke's letter is so important that I give it entire:—

"To the Honourable Warren Hastings, Esq., Governor-General, etc., Council of Revenue.

Honourable Sir and Sirs ; On the 13th December last, Kamaladdin Ali Khan delivered to your Board a paper containing many falsties injurious to my reputation, which I refuted upon my oath, and the oaths of two other persons. He has now put another paper into my hands. which I

* There is an allusion to Captain Weller in a letter from Hastings to Dupré (Gleig I, 300) but the fullest account is given in Hastings' observations on 15th November 1774 (Beng. App.) There he says "I beg leave in this place to mention as a fact universally known, that one of the persons mentioned to have held a share under the contractor's name—Captain Weller—was a man to whom I bestowed that degree of protection which it was in my power to give him ; and upon that account alone he came to Bengal and remained in it till his death ; that independent of the ties of affection, I feel a repugnance to rake out the ashes of the dead," etc., etc.

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take the liberty of enclosing to you for my further justification. In this paper it is pretended, that the Governor-General was active beyond the limits of justice to forward a charge tending to my dishonour. If it contains a calumny, I shall rejoice to hear that the author has a brand of infamy set upon him, as a public warning to all calumniators and detractors. But, whatever may be the issue of the inquiry, it is evident that the Governor-General once thought Kamaladdin Ali Khan a person whose testimony was not to be rejected, when against me; and therefore I hope I may be indulged in a request, that the recantation of Kamal Ali-addin may have a place on the records, as well as his former accusation. Conscious of the respect I owe to Government, I cannot mention the Governor General's name without pain, though essentially necessary to my own particular justification.

I have further the honour to enclose a paper which Kamal Ali-addin declares to have been the first account, which he wrote with his own free will."

I am, etc..

JOSEPH FOWKE.

This letter enclosed two papers purporting to be statements by Kamaladdin. The first, called in the depositions the long *arzi*, and the great *arzi* (1214) was a long narrative of what took place in Mr. Hastings' house in December, and is the paper which Fowke and Nanda Kumar were afterwards accused of extorting from Kamal. The other was the original petition, which Kamal presented to Hastings in December, and is spoken of as the small *arzi*.

It will be observed that Fowke's letter speaks of his having refuted Kamaladdin's charges upon his oath and the oaths of two other persons. This is, no doubt, the examination to which Clavering referred in his deposition, and to which he alluded in his minute of 8th May when he called Kamaladdin an infamous creature, and justified the expression by the remark, that his veracity had been disproved by three positive witnesses.* The small *arzi* (1097) shows us that Varanasi Ghose's complaint against Kamal was about 5,000 Mans of salt, and Kamal's evidence (1154) gives us the particulars of what took place between Kamal, Varanasi, the General, and Mr. Fowke. Kamal says that Varanasi complained against him to General Clavering, and that the latter sent for him. Kamal presented a *Nazzar* of five rupis, but the General did not take them, and gave Kamal *pan*, and told him to come next day. He came, and the General wrote a letter and sent it and another paper, (doubtless Varanasi's complaint) together with Kamal and Varanasi to Mr. Fowke. When they arrived, Radha Charan was with Mr. Fowke, and they waited down stairs till he had gone. Then they went up, and Mr. Fowke proceeded to question Kamal about Hijli and its revenues. Varanasi then told Fowke that Kamal had rented the Thika Khalaris from English gentlemen at a great expense. "What do you mean

* It appears that one of these witnesses was Mahomed Mashraf, a Munshi of Mr. Fowke.

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by a great expense," said Fowke, and Varanasi explained that Kamal had spent a great deal in giving bribes to English gentlemen. Fowke asked Kamal if this was true, and he said it was false. Mr. Fowke replied, "you have given rupis to the English gentlemen." Then young Fowke came in, and there was a great deal of conversation between them, and young Fowke allowed Kamal to go, and told him to come next day. He did so, and Mr. Fowke asked him if he had not given money to Mr. Vansittart. He denied it, and Mr. Fowke got angry, and he and his son talked together in English, and Kamal was again allowed to depart. The third day Kamal again went, and was asked again about the giving of bribes. "I said, I had given nothing to anybody." He said, "you speak this without reason." I then said, "I am a farmer, and no thief." Kamal then came home, and afterwards went to the General's, but he was out.

Question.—"What did you do next"? "I came home and considered in my own mind, whatever has passed between Mr. Fowke and me, if I write, and give (?) so much, I do not know whether the Governor would be angry with me? Therefore I did not write much; but having caused a little to be wrote, I went and gave it to the Governor, and I told him all by word of mouth.* The Governor said "You have wrote in your arzi little, and by word of mouth you say a great deal; whatever you tell me by word of mouth write down in an arzi, and I will inquire about it in the Committee." I answered, "I have not my munshi with me; I will write it out, and bring it to-morrow morning." The Governor answered, "If you have not your munshi with you, take mine, and whatever you have to write, he will write it." The words the Governor then used in the Hindustan language, I did not understand. He desired Mr. Vansittart to explain them to me in Persian; then Mr. Vansittart explained them to me, that the Governor had said, "my munshi is here; do you cause it to be wrote by him." I agreed to it; and the Governor called his own munshi, Shariyat Ula Khan, and told him, "whatever this man has to

* In another deposition (1193) he said "I had numberless thoughts in my own mind; but I went and gave the small arzi to the Governor, for this reason, that the Governor was a great man and Mr. Fowke an Englishman; and that if I wrote a good deal, he might be angry." Sir J. S. (I, 82) calls Fowke a European, as if to imply that he was not an Englishman, and says that he was bitterly opposed to Hastings. Fowke was an Englishman and a friend of Dr. Johnson. I am not aware that he was bitterly opposed to Hastings, until Hastings prosecuted him. He was introduced to Hastings by the latter's patron, Sir George Colebrooke, and Hastings promised to do all he could to serve him. (Gleig I, 190) Hastings admitted (1,200) that he might have told Fowke that he must part with scruples if he meant to be served. He denied that his meaning was that he should part with his integrity, but still "parting with scruples" was a curious phrase.

write, do you write for him." I then caused him to write whatever had passed between Mr. Fowke and me; having wrote it, I gave it to the Governor; and the Governor having caused it to be read to him by the munshi, he kept it, and gave me my dismissal, and returned me the small arzi I had given him. I then came to my own house." On being asked the dates of these occurrences, Kamal said that he did not remember when he got the letter from the General, but that the conversation with Fowke, apparently, that on the third day, was either the last day of Agrahan, or 1st Paush. The first Paush, however, seems to be 14th December, and so, if Fowke was right in saying in his letter that the petition of Kamal was laid before the Board on 13th December, Kamal's memory must have been at fault. It is important to notice that Kamal gave the dates more correctly in the long arzi (1095). He asserted afterwards that this petition was extorted from him, but he admitted that it was written by his own munshi, and that he himself made it over to Nanda Kumar. He admitted, too, that it was written on 6th Baisakh, that is 17th April (1080) and consequently two days before he complained to Hastings or Impey. Here it may be well to note that there was no assertion by Kamal that Fowke had made him write the long arzi at his house, though the charge, as drawn up by Mr. Pritchard, implies this. What Kamal alleged was that Nanda Kumar got him to draw up the petition on 17th April, and then sent it over to Fowke. Two days afterwards Fowke asked Kamal to seal it, and it was this, apparently, that Kamal objected to, rather than to the contents of the petition.

Mr. Fowke said, "seal this, and give it." I said, "there is no agreement between Maharaja and me to seal; it is not an *arzi*, it is a *jawab-sawal*." In fact, the petition was written out on Saturday the 4th Baisakh, that is, April 15th, as Nanda Kumar's deposition shows, (1083) and Kamal's own account requires that it should have been written at least as early as 5th Baisakh, for the 8th Baisakh was the 19th April, and the day after the alleged extortion of the sealing by Fowke. For the reasons that the long arzi was written by Kamal's own munshi, that its statements substantially agree with the other evidence in the case, including even the depositions of Hastings, Vansittart and Shariyat Ula Khan, (1179-85) and also because the jury found that Fowke had not extorted it from Kamal, I believe that the said paper is a correct narrative. The paper is very long, but it is very important and ought to be reprinted. It begins with stating that it is a declaration on the faith of Kamal's religion. It is thus, in fact, an affidavit. There is, therefore, no relevance as regards this petition in Sir James Stephen's view, that natives

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look upon common falsehood as fair play, but regard perjury with horror (vol. I. pp. 204, and 206.) Here, I may observe, that though I have sometimes heard ignorant Englishmen speak as Sir J. Stephen does, of what he calls the current native view about falsehood, I have never seen it exemplified in practice. My experience is, that if a native is truthful, he is so equally with or without an oath, and that if he is not, the oath makes no difference to him.

The petition goes on to say that Mr. Fowke heard both sides, and then dismissed Varanasi and Kamal. On the same evening the latter went to see his friend Sadaraddin Munshi, and told him what had occurred. Sadaraddin advised him to relate it to Ganga Govind Singh. Kamal objected to do so at first, but on 19th Agrahan, he did go and tell Ganga Govind, who said nothing, but went off to the Darbar. The report writes it Faghun, but it is clearly Agrahan that is meant.

Next day, 3rd December, at noon, Munshi Sadaraddin sent for him, and told him that Ganga Govind had told Mr. Graham about Fowke's interrogatories, and that Mr. Graham had gone straight with the news to the Governor, and had then come back and told Sadaraddin to send for Kamal, and tell him to write a petition on the subject, and deliver it to the Governor. Kamal drew up a petition and shewed it to Sadaraddin, who told him to take it to Ganga Govind, adding "what I now tell you is by the direction of Mr. John Graham." Ganga Govind told Kamal to put in about Fowke's asking about the douceurs, to which Kamal replied that Mr. Fowke had not said so to him. Then Kamal went back to Sadaraddin, and while he was there, Ganga Govind came in, and the two told him that he need not be afraid, and that he should write the petition. He did so, but did not deliver it, and on 26th Agrahan, 9th December, Ganga Govind said to Kamal, "You have not yet delivered the petition, and Mr. Graham is very angry about it; you ought to go immediately to the Governor, deliver your petition, and wait upon Mr. Graham to-morrow, with the account of your having done so, and I will be at Mr. Graham's at that time too." Kamal immediately went, (this would be on 9th December,) and delivered his petition. Hastings objected that it was different from the account that had been given him by Mr. Graham. Then followed the writing of another petition by Hastings' munshi, as related in Kamal's deposition.* Next day, the 10th

* According to Kamaladdin, Hastings spoke Hindustani very imperfectly. He says "the words the Governor then used, in the Hindustani language, I did not understand. He desired Mr. Vansittart to explain them to me in Persian; then Mr. Vansittart explained them to me, that the Governor had said "My munshi is here, do you cause it to be wrote by him." If Hastings could not say even so much in Persian, or intelligible Hindustani, he must have been less proficient than even his friend Impey in know-

December, Kamal went and told Vansittart and Rajballabh. It appears, however, from Vansittart and Hastings' evidence, and also from Kamal's deposition, 1156, that Vansittart was also present at the interview between Kamal and Hastings. Hastings and Vansittart and the munshi of course say that Kamal dictated voluntarily the petition which Shariyat Ula wrote out. But the important thing is, that it was written by Hastings' munshi, at Hastings' house, and that the petition with which Kamal went to Hastings was the small arzi (1097) which says nothing about Fowke's inquiring about douceurs. "The petition," says Hastings, "was in terms so brief and general, that I returned it to him, telling him that as he had stated it, it did not amount to a complaint." Vansittart's evidence is to the same effect. "Mr. Hastings' was in the south-east room of his house; Kamaladdin was there, and others, when I went in; Mr. Hastings told me that Kamaladdin had been complaining that Mr. Fowke had threatened him with punishment, if he did not deliver an account of *baramads*; that he had been relating every thing very circumstantially by word of mouth, but had given in a petition very short, and of no kind of consequence. It is important, also, to point out that Ganga Govind Singh was present then, (1185). No doubt this would have its effect in putting Kamal under constraint. It is an unfortunate circumstance that the petition which Shariyat Ula wrote out has not been published in the report, though it appears to have been produced at the conspiracy trial, (1168) was laid before the Board, and is printed in the Bengal Appendix. I have been thus minute in describing the occurrences of December, because Sir J. Stephen passes them over in silence. It will hardly be credited, but it is the case, that he says nothing whatever about Kamal's petition of December. He represents him as coming for the first time to Hastings on 19th April, and expatiates on the caution with which Hastings acted then, and the care with which he tested his statements (Vol. 2, pp. 46 and 51.) He does not tell his readers that Hastings had reason to be shy of trusting Kamal, or that he had not been so circumspect in December. Hastings then took up the case so eagerly, that he insisted on Kamal's having the complaint written out there and then, and he took this petition, which his own munshi had written out, and presented it to the Board.

ledge of the native languages. Barwell was equally ignorant. Sadaraddin was asked whether he had told Barwell about Kamaladdin's complaint concerning the *arzis*, etc., Kamal had asked him to do so, (1080) and he answered, "There were but four *gharis* of the day remaining. I acquainted Mr. Barwell of something; but he does not know the language; I told him but little." And yet these were the two men whom the Regulating Act put into Council on account of their knowledge of India.

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It must have come to nothing, for we hear no more of it; Fowke was not prosecuted then, and he vindicated himself to the satisfaction of Clavering, and apparently of the other councillors, by his own evidence and that of his servants. Surely these facts have an important bearing on the credibility of Kamal. It is also to be carefully remembered that Fowke and Nanda Kumar were found not guilty of having extorted the *arzi*, that is the great *arzi*. In other words, Kamal's charge on this ground was found false. This verdict never was reversed, for the charge in Barwell's case was about another paper, *viz.*, the *fard*. The *arzi* was not an item in that charge. Thus then we have an unchallenged verdict that Kamal had lied about the *arzi*. Thus he was twice found to be a liar, once in December by the council, and again in July by a jury.

Sir J. Stephen cannot understand why the jury found for the defendant in one case, and for the prosecution in another. Nor can I fully explain it.* One explanation, however, is that the charge in Barwell's case was only about the *fard*, and the jury may have believed that the evidence about this was confirmed by Fowke's observations. It may have been, too, that the jury convicted in Barwell's case because so little evidence was given for the defence. The four writers who were present at Fowke's house, and two of whom attested the great *arzi*, were not called though they were alive and in Calcutta. Lemaistre, J., asked a question about this, and it is possible that in charging the jury, stress may have been laid on the absence of these witnesses. But then it does not appear that they were examined in Hastings' trial either, though they were at the preliminary proceedings. Perhaps it was understood, that a severe punishment would not be inflicted, and that it was on this account that all the witnesses were not examined. At all events, the fact that Fowke was only fined Rs. 50, seems to indicate that the judges did not concur with the verdict, or had small sympathy with Mr. Barwell. When Sir James Stephen (at pp. 84, 86, and 88) argues in favour of Kamal's story about the *arzi*, in opposition to the account by Fowke and others, he not only prefers believing a man whom he himself calls a very poor creature, but he overrides the verdict of the jury! One would be glad to know how he defends such a position. Unless he chooses to say "*Kamalus est mihi instar omnium*," I do not see what he has to stand upon.

* The difficulty is that evidence was given in the Hastings' case about Fowke's question to Barwell, both Vansittart and Elliot deposing about it, and yet the jury acquitted. When Sir J. Stephen observes in a note (vol. I, p. 102) that the jury afterwards seem to have found that there was such a paper as the *fard*, he leaves out of view the fact, that the point is one on which we have the verdict of one jury against another.

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I observe that Sir J. Stephen implies (202) that the question of the extortion of the long *arsi* was in issue in both cases, the effect being to lead his readers to suppose that the two verdicts are irreconcilable, and that the one in Barwell's case supported Kamal's story about the *arsi*. This, however, is a complete misrepresentation or mistake. There was no charge in Barwell's case about the long *arsi*, and there could not be, for he is not mentioned in it. The sole charge in Barwell's case was about the *fard*. On the other hand, there were two charges in Hastings' case, one about the *arsi* and the other about the *fard*. The prisoners were acquitted on both counts, and so far as the *fard* is concerned the verdict was contradicted by that in Barwell's case. But there never was any contradiction about the *arsi*. It is curious that the existence of the *fard* was the point about which Hastings had doubt; he was clear as to the *arsi*, but he thought at first that Fowke might be innocent about the *fard*. (Stephen I, 80.)

In my opinion this doubt was just. If the *fard* had ever existed, Fowke would surely have taken the attestation of two witnesses to it as he did at that time with regard to the *arsi*. The next thing that we hear of Kamal is that he was arranging about his son's marriage. This was some time in Phalgun, (11th February to 11th March). He lived at Hugli, and it was necessary for him to go home and settle the marriage. He therefore went to see Nanda Kumar in order to get his dismissal, (Rukhsat,) and to ask the Maharaja to honour him by receiving sweetmeats from him on the auspicious occasion, Kamal, both according to his own account, and Nanda Kumar's, was an old friend of the latter. In his evidence in the forgery case, he said that Nanda Kumar had been his father's and his grandfather's friend, and that he himself had been protected by him since he was ten years old. Similarly, Nanda Kumar said, (1082) that Kamal had been with him in his childhood for two or three years. Apparently, however, they had quarrelled, and it was in order to become reconciled that Kamal went to Radha Charan and asked him to get his father-in-law to accept the sweetmeats. Radha Charan agreed to mediate and told Kamal that the Raja's house was his old home, and that he must be on terms of friendship with the Maharaja. According too, to Kamal, Radha Charan bragged of what his father-in-law had been doing about the Governor, etc., and said:—"What they have ate they will be obliged to disgorge; and will be put to shame in their own country, and will be called thieves."

We are not told what the previous quarrel between Kamal and the Raja had been about, but it is not unlikely that it related to Fowke's affair of December. Kamal went off to Hugli, and did not come back till the end of the month. He said (1159) that

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he returned on 30th Phagun, or 1st Chait, and that on the first day after his arrival he paid his respects to the Governor, Mr. Vansittart, and all the gentlemen.* The second day he went to see the Raja. The Raja was not at home, and so Kamal sat down in the diwankhana, but in a little the Raja came in, and Kamal presented his nazar of one gold muhur. The Raja first politely asked about the marriage, and then said : " Did you hear at Hugli what passed between the Governor and me, and how I have proved him to be in the wrong." Kamal said he had heard something about the *baramads*. Kamal had another object in visiting the Raja, *viz.*, to borrow Rs. 3,000. He asked for it, he says, on 1st Chait, and got the loan on the 13th or 14th idem. The 1st Chait was Sunday, the 12th March, and so, just one day after Nanda Kumar had presented his petition against Hastings. I beg to point out here to my readers, that all this intimacy with Nanda Kumar, and this borrowing of money from him, took place after Kamal, according to his evidence in the forgery case, had found out that Nanda Kumar had been forging his name, and had on that account magnanimously declined to ask him to be his security ! Apparently Kamal had now fallen from the moral elevation he had attained in 1772 or 73. The next incident was Kamal's presenting three petitions to Nanda Kumar, two of them against Ganga Govind Singh, and the other against a Mr. Archdekin. This occurred in the latter end of Chait, (1081,) and consequently some time in the beginning of April. Kamal said that he asked Nanda Kumar to give the petition against Archdekin to the committee, but to keep those against Ganga Govind by him. Why he should have made them over to Nanda Kumar if he did not wish them presented it is difficult to imagine. Kamal's story is that he did not want them filed, as his only intention was to frighten Ganga Govind. He also says that the contents of the petitions were not true. " I don't deliver them in as complaints," he said to Radha Charan, " was I to complain I would complain of what is true. In order to frighten him, I have wrote what I pleased myself." This was at least candid on the part of Kamal, but Sir J. Stephen is resolved Kamal should be protected against disparagement, even by himself, and so he says that he can see nothing disingenuous in Kamal's petitions (Vol. I, p. 205, note).

Whether Kamal's complaints against Ganga Govind were true or false, it seems to me impossible to doubt that they were intended as "*baramads*," and that they were given in support of Nanda Kumar's schemes. It is impossible to believe that Kamal would give them to Nanda Kumar when he knew

* Kamal evidently was desirous of keeping in with both parties.

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that the latter was bringing charges against the Governor unless he meant Nanda Kumar to use them. Ganga Govind was a member of the Government and connected with Hastings. He took an active part in getting Kamal to go to Hastings in December with a complaint against Fowke. He was also the man who long afterwards, in concert with Devi Singh, so infamously distinguished himself in Rangpur and Dinajpur.*

Another thing which proves the intention with which he, Kamal, presented the *arsis*, is that the Maharaja had previously been speaking to him about *baramads*. According to Kamal the Raja spoke about nothing else. "Whenever I went," he says, "he conversed with me on no other subject but the *baramads*." When, therefore, after such conversations Kamal gave in *baramads* about Ganga Gobind, what could Nanda Kumar understand except that he was to present them? It was about Hijli and other salt estates that Nanda Kumar invited Kamal to give *baramads*, and lo! here he brought him three.

In order to understand what was the dispute between Kamal and Ganga Govind it is necessary to say something about Kamal's position as a salt-farmer. Kamal was the farmer of Hijli. This was formerly a district or *chakla* consisting of the Parganas of Tamluk, Mahishadal, etc., but is now part of Midnapur. It was a salt-farm, but not entirely so. There was also land, and Kamal had to pay or collect Rs. 75,000 in land revenue, besides furnishing a large quantity of salt. Sadaraddin Munshi speaks of Kamal's being a competitor for the farm in Asah 1179 (June 1772.) It is probable, however, that the arrangements about the salt did not come into force till the cold weather of 1773, for nothing could be done about salt in the rains, and the scheme for the settlement of salt-farms was not propounded till October 1772. (Harington, 2, 381.) One of Kamal's petitions, too, (1099) speaks of the settlement of Hijli being made in 1180 Vilayati (October 1772.)

We learn (Harington 3, 659) that there were two ways of managing the salt revenue; one was known under the head of *Khasana*, and the other under the head of *Thika*. In the first

* Many years afterwards, (1787) when Hastings was being impeached, and was anxious to collect the suffrages of the natives of India in support of his administration, the first name he mentioned amongst those of men who could help him was that of Ganga Govind Singh. (Gleig, III, 323). It is important to note that Ganga Govind was dismissed by the majority in May 1775 on account of the very transactions referred to in Kamal's petitions. Granting that this was unjust and the result of spite, still it shows that the Council acted on the *baramads*. This, and the fact that G. G. Singh paid Rs. 10,000 if not Rs. 26,000 in order to buy off Kamal's opposition (for this is what the arrangement made by Sadaraddin amounted to) show the ticklish position of affairs and how anxious G. G. Singh and his friend Sadaraddin must have been to win back Kamal to their side.

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instance the land revenue was paid wholly or chiefly in salt, and in the other the khalaris or salt-works were let out at a certain rent or *thika*. Kamal was interested in both arrangements. He farmed Hijli, and paid in salt, and in cash, and he also held 400 *thika* khalaris. It was about the latter that Varanasi Ghose complained to General Clavering in the beginning of December. Varanasi Ghose, as Kamal's petition (1097) shows, had to do with the *thika* khalaris and complained against Kamal about 5,000 Mans of salt. Kamal calls him his raiyat (1154) and this is explained, I think, by the evidence of Hastings (1179.) He says "Kamaladdin in the month of December complained that Mr. Fowke had attempted, by promises and threats, to extort from him a declaration, that he had given bribes to English gentlemen and *matsadis*, for the grant of the *thika* khalaris, or the adjustment of accounts relative to them (I am not certain which.) These were salt-works, not originally included in the lease of the farm of Hijli, but worked by other farmers, by people brought from other parts, and afterwards given to the farmer of Hijli, to prevent competition."

It was these *thika* khalaris, too, which Kamal sublet in Baisakh 1181 (April 1774) to Hastings' banyan Kanta Babu. The petition (1100) speaks of Babu Leckenace and Nundee as the sub-lessee, but I need hardly observe that this is a misprint for Lok Nath Nandi, the infant son of Kanta Babu in whose name he took Pagana Baharband, etc. This agrees with the remarks of General Clavering in the minutes of 30th December 1774 and 12th May 1775, about the connection between Kamaladdin and Kanta Babu.

The arrangements for the salt-farms, as given in Harington, were briefly as follows: The farmer engaged to deliver a certain quantity of salt yearly to the Company at a fixed price, and he also agreed that he would deliver to the Company any surplus salt which he might make at an advance of Rs. 25 on the contract price. He was not to sell salt except to the Company. In consideration of these stipulations he got an advance of three-fourths of the value of the salt that he was to deliver. It is clear that unless he got this advance, he could not work his farm, for he could not pay the *malangis*. Kamal speaks of taking the farm of Hijli for five years (1082) but perhaps this did not include the salt, for it appears (1098) that he took the salt-works in certain parts of Hijli on a four years' lease in Magh 1181 (April 1774.) The agreement was that he should supply a lakh of *Mans* of salt at a rupi a *Man*, and that he should get an advance of Rs. 60,500. After this Ganga Govind, by an underhand settlement, persuaded Kamal to agree to pay him Rs. 26,000 on the understanding that Ganga Govind would induce the Government to forego all claim to any

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salt which Kamal might make over and above the stipulated lakh. This surplus Kamal was to be allowed to dispose of as he chose, and to keep the profits to himself. In other words the two arranged to cheat the Government. Upon this agreement Kamal paid Ganga Govind Rs. 15,000. Next month Kamal asked Ganga Govind to give up the salt (the surplus salt, I presume,) but Ganga instead of doing this took Rs. 15,000 more from him. The result was that Kamal could not pay the salt-workers, and they complained against him; Kamal said further, that he was a poor man, and that he was utterly at a loss where to raise the money, so as to complete the investment. He therefore prayed that the diwan should be summoned and ordered to return his money with interest. There was also another complaint against Ganga Govind for oppressing the ryots and salt-workers of Hiji. We are told that the dispute between Ganga Govind and Kamal was afterwards settled by their common friend Sadaraddin Munshi, that is, by the man who was then the munshi of Nanda Kumar's special enemy, John Graham (1147) and was afterwards in the service of Mr. Barwell. Ganga Govind, it is said, paid Kamal Rs. 10,000 and wrote off, Rs. 16,000 of Kamal's debt for land revenue, but this was no proper settlement if Kamal's petition was true. According to it, Ganga Govind took from him Rs. 30,000, and moreover did not fulfil his bargain about the surplus salt. I do not think that any candid mind can accept Kamal or Sadaraddin's account of these transactions, or doubt that Kamal was induced by underhand means to withdraw the charge against Ganga Govind.*

* Hastings restored Ganga Govind to office in November 1776, i.e. as soon as he got the power into his hands again. On 12th May 1775. Hastings gave a curious illustration of what he considered the one thing needful in a public servant. He said "I have heard him (Ganga Govind) loaded, as I have many others, with general reproaches, but have never heard any one express doubts of his abilities." When Hastings took back such a man after his dismissal, he became virtually responsible for all his subsequent enormities. Mr. Peter Moore, when examined in Hastings' trial, gave very strong evidence against Ganga Govind. He also referred to Kanta Babu's zamindari of Baharband, and said that the engagement was for Rs. 82 or 83,000, while the settlement with the ryots was for Rs. 353,000. In July 1774 Hastings described Lok Nath Nandi as a man of credit, and therefore a proper person to have charge of the Baharband zamindari. Lok Nath was then a mere child, and when the majority taxed him with this description of him, Hastings replied that everybody knew that the practice of *benami* was prevalent in India, and that his description referred in fact to Kanta, who was the real farmer. Kanta, however, told the majority that Lok Nath was the real farmer, and that if he died, the farm would lapse to the Company. This shows the little value which is to be attached to Hastings' explanation of the relation between Kanta and Kamaladdin, and, indeed, Hastings stated that he knew very little of his banyan's affairs.

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Nanda Kumar was examined at the preliminary inquiry on 20th April, and the circumstantial account which he there gives, makes us regret all the more that we have no record of his examination on 6th May.* His statement (1082) is, in substance, that Kamal came to him and complained about Ganga Govind Singh's having taken Rs. 26,000 from him, besides Rs. 3 or 400 that his servants had taken. He said that Sadaraddin and Ganga Govind were in friendship, and that though he had several times demanded his money from them, they would not pay it. Nanda Kumar said that if that was so, the only remedy was to complain to Council. On another day Kamal brought two petitions, and Nanda Kumar after reading them, sent, at Kamal's request, his son-in-law Radha Charan, with Kamal, to Mr. Fowke. This so far agrees with Kamal's account that he too admits that he went with Radha Charan to Mr. Fowke's. He denied that he gave Mr. Fowke the *arsis*, but it is not clear why he went to see a man with whom, as he says, he had a quarrel in December, unless to get him to give in the *arsis*. Mr. Fowke's letter, too, of 25th April (1097,) is, I think, sufficient to show that Kamal took the *arsis* to him. Nanda Kumar went on to say that some days elapsed after the giving of the *arsis*, and that on 5th Baisakh he was at the General's when he got a message from Radha Charan that he and Kamal were at the house of Mr. Fowke, and asking him to call in as he went home. He did so, and Mr. Fowke asked Nanda Kumar to examine Kamal, and inform him if his representations were true. Nanda Kumar then went home, and at 7 P.M., Kamal came to his house with a munshi, and bringing the draft of an *arzi*. This was found not to be well worded, and the munshi, Khuda Newaz, began to make a fresh draft. Before he had got half through it, Kamal, who had been ill in Fowke's house in the day time, was obliged to leave on account of illness. His munshi remained and finished the paper. It was then sent by Nanda Kumar to Kamal by the former's servant, Yar Mahomed, to be sealed. Yar Mahomed here takes up the story (1084) and states that he went to Kamal with the *arzi* and that Kamal sealed it, saying that he wrote it, and that if a hundred Korans were put on his head, he would swear to the truth of every word of it. Khuda Newaz, the munshi of Kamaladdin, did not admit (1171) that his master sealed the *arzi*, but he admitted, as did also Kamaladdin, that Yar Mahomed came to get it sealed.

* This examination has lately been discovered in the High Court Record-room. It is very short, and merely states that after the depositions had been read to him "this examinant denies all and every the matters and charges therein contained, and doubts not to prove the falsity thereof."

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There is also a curious statement by Kamal's khansama, Husein Ali, (1172) that Khuda Newaz met him on the stair, and told him Kamal was going to seal a paper, and so he had better bring the sikkā-dawat. He did so, he says, and waited on the stair, but the seal was not required. According to Nanda Kumar he did not see the *arzi* again till next morning. It was sealed, and he told Radha Charan to take Kamal with it to Mr. Fowke. He says this was on Sunday, and therefore it appears that it was the 4th Baisakh when he visited General Clavering, &c., (5th Baisakh was Sunday, the 16th April.)† This, too, is supported by Sadaraddin's evidence (1177) who says that on the night of 3rd or 4th Baisakh, Kamaladdin told him that the Raja was wanting him to write an *arzi* about the *thika* khālari business, evidently that of Varanasi Ghose, in such a way, that the Governor and Mr. Graham might get a bad name. Here I may note that Sir J. Stephen is incorrect in saying (I, 85) that Nanda Kumar deposed that Kamal pressed Fowke to deliver the petition. "On Sunday," says Nanda Kumar, "Kamal gave the petition to Mr. Fowke, and on Tuesday Nanda Kumar went to Mr. Fowke's and there the *arzi* was, with Kamal's consent, attested by two witnesses." In the evening Kamal came and begged Nanda Kumar to use his influence with Fowke to make him give in the petition against Ganga Govind Singh before the other one. Nanda Kumar agreed, and went on the Wednesday morning to Mr. Fowke's, but Fowke said he would do what was proper. "When I was going, Kamaladdin represented to me, that it was very hard upon him that the *arzi* against Ganga Govind was not delivered; for, if the other was given in first, he feared he should get no advantage from that. I advised him to be patient, and to give in his *arzi* to the Council, where he would obtain redress. He would not attend to what I said, but ran to the Governor's."

I cannot say if the whole of this account is true. Nanda Kumar was on his defence, and no doubt he gave the best side to his own case. But I am sure it is much more true than Kamal's account. It is more probable, and it is supported by the verdict of the jury who found that the *arzi* was not extorted. What I think clear is, that Kamal was dissatisfied with Ganga Govind and Sadaraddin, and was terrified at the consequences of his not fulfilling his salt contracts. He therefore had recourse to Nanda Kumar, more especially as his friend Sadaraddin was not then in Calcutta. Kamal offered Nanda Kumar the *baramads* against Ganga Govind, and Nanda Kumar gladly accepted them, as they strengthened his case, and probably, in order to bind Kamal still more to his interests,

* There may, however, be a mistake of a day in Reid's Chronological tables. Kamal (1080) speaks of Wednesday the 19th as being the 9th Baisakh.

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made him a loan of Rs. 3,000. Nanda Kumar was working through Fowke, who had the ear of the General, and so sent Kamal to him, and as a peace-offering, got Kamal, or Kamal agreed of his own accord, to give a recantation of his complaint of December.

Kamal, however, was frightened about this petition's going in, and knew it would not help him to get his money from Ganga Govind, which was all that he cared about. Meanwhile also, Sadaraddin came back from the country, and persuaded Ganga Govind to give Kamal Rs. 10,000. No doubt he, at the same time, induced Kamal to come back again to their side, and so Kamal went to Mr. Fowke on Tuesday the 18th April and tried to prevent him from sending in the *arzi* on that day. It seems to me that the fullest and fairest account of what took place on 18th April is given by Francis, the son of Joseph Fowke. He admits Kamal's distress, and also proves that Kamal sealed the small *arzi* in his father's house, and acknowledged the great *arzi*. He proved also that the great *arzi* was attested by two of his father's Portuguese writers, and that he (young Fowke) by mistake, wrote 17th April on one of them. His evidence went to disprove the existence of the *fard*. How Nanda Kumar was convicted in Barwell's case, I cannot comprehend, for Fowke's indiscreet behaviour in Court was only evidence against himself, and there was apparently not a particle of proof that Nanda Kumar had anything to do with the *fard*. According to Kamal, it was all the doing of old Mr. Fowke. Perhaps the jury thought that as Nanda Kumar was already condemned to be hanged, a conviction in the conspiracy case could not hurt him; but surely it is some evidence of the recklessness of Calcutta juries of the day.

Sir J. Stephen asks (p. 88) why should Kamal rush off to Hastings with his complaint unless what he said was substantially true? But where does Sir James find that he did "rush off?" The alleged extortion of the *arzi* and the *fard* took place on the morning of Tuesday, the 18th April, and Kamal did not appear before Hastings till the next day. The indictments in both the conspiracy cases are wrong in giving the 19th April as the day of the extortion. All that happened on that day was, that in the morning Kamal went to Fowke's to try and get his *arzis* back, and when he did not succeed, he went off in his palki to Hastings. It appears (1150) that he went to Raja Rajballabh first on the 19th, and if, as appears to have been the case, (Gleig I p., 523,) Hastings was then at Belvedere* it is

* I believe this Belvedere is not the residence of the Lieutenant-Governor, but a house some distance to the south of it, and which is still known as Hastings' House.

difficult to see how Kamal could still be out of breath when he came before him. He had plenty of time to cool down during the palki journey from Calcutta to Alipore. There was no *rushing* in the matter. Kamal left Fowke's house before 1 P. M. on the 18th (1213). He did not go to Mr. Hastings that day, as he might have done. He went to the Maharaja, and to Sadaraddin, and the latter went to Barwell and Vansittart. Apparently what made Kamal start off at the last was, that he saw Mr. Fowke going out, and that he believed he was going straight off to put in the petitions. As a fact, Fowke did put up the *arsis* into an envelope on the 18th, at least he dated the letter the 18th, but they were not delivered till the morning of the 20th, when young Fowke brought them to Auriol while he was at breakfast. Nor can I see any sign of circumspection on the part of Hastings, for he sent off Kamal to complain without ever having seen the *arsis* alleged to have been extorted! (1079).

According to the reporter's note (1077) Kamal made his appearance before Hastings at 9 A.M. on the 19th April, but this note is not evidence, and it is opposed to the deposition of Khuda Newaz, who says (1171) that Kamal and he went to Mr. Fowke's at one and a half prahars of the day, (about 10-30 A.M.) and that they were there for about three or four gharis (hours). Another witness, Masharar Rahman (1176) says that the dispute occurred at about six gharis of the day, but even this would not allow of Kamal's getting to Belvedere by 9 A.M., especially as he went first to the Rai Rayan, Rajballabh. Rajballabh was one of the persons whose names were said to be entered in the *fard*, and who were invited afterwards to prosecute but declined. We are not told that Kamal had an interview with him that morning, but this seems implied by the question, "After you went to Raja Rajballabh, whom did you first apply to?" Khuda Newaz, too, says that he went on foot with Kamal's palanquin as far as Raja Rajballabh's (1172). It seems very likely that it was Raja Rajballabh who put up Kamal to go to Hastings. When Kamal got to Hastings' and explained his business, Hastings said that he could not do him justice, as they, the other Councillors, were three, and he was only two. He advised him to complain to the King's Court, and sent him with a chobdar to the Chief Justice. According to Kamal this was to protect him against the myrmidons of Mr. Fowke, but according to Hastings, it was to prevent his being detained by the servants of the Chief Justice (1181). But Hastings did more than this. He wrote a note to Impey, and sent it by one of his private servants (1181). I suppose that Sir J. Stephen will hardly defend this, for he says (I, 236) that the writing of a letter to a Court on a matter judicially before it, is unconstitutional,

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and he adds, that a Home Secretary would never dream of writing to a judge as to the exercise of his judicial duties. Any such application would have to be made by counsel in Court.

But the important thing to notice is that we hear nothing of Impey's refusing to receive a private communication. On the contrary, he acted on it, heard Kamal (1077) and then summoned the other judges to meet him in the evening. Where was the virtuous indignation which the judges showed afterwards when the Council addressed them by letter? The judges could then say, "it is contrary to the principles of the English constitution for any person or persons to address a Court of Judicature by letter-missive, concerning any matter pending before such Court, and that the higher the station is, the act is the more unconstitutional." It is true that Impey was not present when this resolution was come to, but he adopted it in the proceedings of June 23rd. Kamal was examined by the judges on the 19th, and then summons were issued calling on the parties to appear next day. The place fixed was Impey's house, and the examination went on there till 11 P.M. On this occasion Elliot interpreted. On the previous day, Sir John D'Oyley officiated, having for this purpose absented himself from his post at the Council Board. After the examination, the judges called upon the persons affected by the supposed conspiracy, to declare if they would prosecute, and gave them up to Monday, the 24th, to decide. This was on the Thursday night, and next day took place the visit of the Councillors to Nanda Kumar of which so much has been made.* I do not see anything very improper in it, but no doubt it offended the judges. Meanwhile, Hastings was not idle, for he sent for Kamaladdin to Belvedere on the Saturday and Sunday, and examined him about his complaint. He says he took the precaution of asking the judges if he might do so, and no doubt he did, but this seems to show that he or his friends thought Kamal a slippery customer whom it was necessary to keep to the mark. He had been three times examined already, *viz.*, at Hastings' house, at Impey's on the same day, and again on the 20th before all the judges. If Hastings was so doubtful about the case, and

* When the Councillors were taxed with this visit, they retorted by saying that Impey had visited Khwaja Petruse, who had signed the address in his favour. Impey rejoined, "we (himself and Lady Impey,) have certainly visited more than once. Curiosity originally led us to accept the visit from the Armenian ladies, and complaisance to return it, nor did we think ourselves degraded by it; he being of the first family of the nation in India." Impey also said that Chambers had visited the Armenians. When it suited his purpose, Impey was fond of likening himself in position to the puisne judges, but in fact he ranked a good deal higher, his position being, I believe, next to that of the Governor-General. His pay also was greater by £2,000 a year.

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if the judges were not so satisfied as to require bail, and had even intimated that there was no case against one of the accused, (Francis Fowke,) were Clavering and his friends so very far wrong in going to see Nanda Kumar for a few minutes? * Nothing passed between them but salams, and the common ceremonies (1210).

On the 24th Hastings and Vansittart bound themselves over to prosecute. Sir James Stephen says (1, 89) that Barwell also bound himself over to prosecute, and he corrects the majority for stating the contrary. (1, 102, note) He might have given them credit for being likely to know on 16th May what took place on 24th April. Fowke, in his letter of 25th April, says that Barwell waived his demand for bail, but lest Sir J. Stephen should not think this authority good enough, I beg to refer him to Barwell's own deposition (1204) where he says that it was not his intention to have prosecuted Mr. Fowke, and adds "I neither asked bail, nor was bound over to prosecute:" He goes on to say that he directed his counsel to prosecute, but this may have been after the Council's minute, for he was deposing in July. At all events it is certain that he was not bound over. A careful reading of the reporter's note (1093) would have shown Sir J. Stephen that Barwell was not bound over.†

It is not my intention to analyse the evidence in the conspiracy cases. I have already pointed out that the extortion of the *arzi* was not established, and that the verdict of the jury in Barwell's case in no way affects the previous verdict about the *arzi*. I have also pointed out that Nanda Kumar was convicted on the charge about the *fard*, though there was not a particle of evidence of his having had anything to do with it. One curious incident of the trial is deserving of notice as showing the kind of witnesses that the prosecution brought forward. One Mahomed Ghaus Newaz was called to prove what took place at Fowke's house on the morning of the 19th, and to attest a *suratnāl* (statement of facts) which Kamal drew up in the course of the afternoon. He first denied that he had signed any paper, and then said he had. Then he said that he had only heard Kamaladdin's name, though it came out afterwards that he lived in Kamaladdin's house. Finally, he denied that Khuda Newaz was his brother, or that he knew him.‡

* The animus against Nanda Kumar is shown by the great stress laid on the visit to him. Fowke was the principal accused in the case, and yet nobody reflects on the majority for continuing to associate with him after the 20th April.

† The papers of recognisance preserved in the High Court do not contain one from Barwell.

‡ The report does not say in so many words that Mahomed Ghaus denied his own brother, but he did prevaricate very much, and the

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The fact, however, that he was the brother of Khuda Newaz, and also that the two lived together in Kamal's house, was proved by Khuda Newaz and Husein Ali. We do not hear of this witness being prosecuted for perjury, though he had not the excuse of idiocy, but when Kista Jiban, Mir Asad and Yar Mahomed were thought to have prevaricated in the forgery case, they were at once committed. Mr. Impey tells us (memoirs 139) that Halhed mentions in the preface to his Hindu laws, that he once heard a man, not an idiot, swear upon a trial, that he was no kind of relation to his own brother, who was then in Court, and who had supported him from his infancy. It is evident that Mr. Impey was in happy ignorance that this witness was one called by his friend Mr. Hastings in his prosecution of Nanda Kumar.

There is a point about the conspiracy cases with regard to which I have found no explanation by Sir J. Stephen, or the other defenders of Hastings. This is why were the conspiracy cases not tried before the forgery case? Hastings and Vansittart were bound over to prosecute on 24th April, and two days afterwards Fowke writes (1097) that he is to hold up his hand at the next sessions of oyer and terminer, and gaol delivery. Why then were he and Nanda Kumar and Radha Charan not put on their trial in the beginning of June at the *Assizes*? * Nanda Kumar was not committed for forgery till 6th May, and Mohan Prasad was not bound over till next day which was a Sunday!† Sir J. Stephen's case is that Mohan Prasad's charge was entirely a private prosecution with which Hastings had nothing to do. What title then

questions put to Khuda Newaz and Husein Ali show that he disowned his brother and made out that he lived in his own house. The account in Halhed is at p. 51 of his preface, edition 1776. Halhed calls the deposition an instance of *upadhi*, or folly.

* Hastings was, according to his account, apprehensive lest Kamal should be gained over before the assizes, and also lest Fowke should be able to patch up his contradictions. In his letter of 29th April, he says (Gleig, I, 525) "he has a long time now before him to patch up all these contradictions, for I understand the assizes will not be held before the 15th June." If Hastings had nothing to do with the forgery prosecution, why did he not get his counsel to protest against Mohan Prasad's case being tried before his. The conspiracy cases were not tried till July, though the forgery case ended on Friday, the 16th, and Radha Charan's objection was not made till 20th June.

† The recognisance is in the High Court Record-room. It is dated 7th May and is for £ 10,000. It only refers to a charge of feloniously uttering. Lemaistre had not then drawn out the elaborate charge we now have, nor was it thought that the charge of forgery could be established. On the same day Kamaladdin, Gharib Das Pattuck Kisto Jivan and Ram Nath gave recognisances. Sabut and Nabakrishna do not seem to have been examined then. Gharib Das was the man who afterwards broke down and Ram Nath was examined for the defence.

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had it to take precedence of a charge brought by the Governor-General? The objection about Radha Charan's privilege as an ambassador will not explain this, for that objection was not taken till 20th June. The objection was not made, as Radha Charan's memorial shows, (1102) until an indictment had been preferred against him, and this was not till the 19th June. Why were the indictments in the conspiracy cases not drawn up till 19th June while the forgery one was drawn up on the 7th idem? Surely this gives support to the allegations of the majority of the Council in their minute of 16th May that "this attempt (the conspiracy charge,) to discredit the evidence of the Raja not answering the purpose it was intended for, he was, a few days after, again taken up, on a charge of forgery and committed to the common gaol." Sir J. Stephen says that the imputation here made is wholly unsupported by evidence, and is, he believes, false. But it is not false that Hastings' attempt to convict the Raja of conspiracy failed. And I think that Hastings and his advisers must have foreseen that it would fail, for surely no one can read the petition which Fowke was said to have extorted from Kamiladdin, without admitting that it does not contain any charge against Hastings. It does not allege that Hastings compelled Kamal to write a petition injurious to Mr. Fowke. Still less does it allege that Hastings did so, knowing the charge to be false. It represents Hastings, as relying on what he had been told by Graham, and the constraint which Kamal laboured under in dictating it, was an unwillingness to expose Mr. Graham.

The indictment says that the conspiracy was to accuse Hastings of divers enormous and scandalous offences, particularly that he had by divers sinister and unlawful means procured a false accusation against Mr. Fowke, and that Hastings had presented this false accusation to the Council, knowing it to be false. But in fact no such charges can be extracted from the petition, that is the great *arzi*.

This, in my opinion, is strong evidence that the petition was genuine, and was not extorted, but if it was, it was a matter for Kamal alone to complain about, and did not affect Hastings. Graham might have been affected by it, but he had left India.

It is true that in Barwell's case a conviction was afterwards obtained, but I do not suppose that any one will support the verdict in it against Nanda Kumar. There was absolutely no evidence against him about the *farz*, and even if there had been, it is clear that a case in which the principal accused was fined only fifty Rupis, would not have led to a sentence against Nanda Kumar which would have been of any use.

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Of course if the prosecution for forgery was really brought by Hastings its taking precedence of the shadowy charge of conspiracy is explicable enough. The forgery case enabled Hastings to have Nanda Kumar deprived of his liberty, for it was non-bailable, and it struck at Nanda Kumar's life. The conspiracy cases were mainly directed against Fowke. Even Kamal did not accuse Nanda Kumar much about them, for he said that the Raja tried to induce Fowke to give back the papers (1152.) The following curious note about the fate of Kamaladdin occurs in an anonymous work called "Transactions in India," Debrett, 1786, p. 244.

"Many are the instances which might be specified to prove how cruelly the exquisite sensibility of the native Indians are (*sic*,) sported with by our countrymen. The tragical story of Kamaladdin will never be forgotten in India, and the dishonour it reflects on our politics will last as long as it is remembered. This man, by the intrigues of party, while the altercation between a majority of the Council and the Governor-General was carried on with very little temper or decency on either side, was inveigled to give evidence against Joseph Fowke, Francis Fowke, Maharaja Nanda Kumar, and Rai Radha Charan, on a charge of conspiracy against Warren Hastings, Esq. His evidence was so confused and contradictory, that the verdict was given in favour of the defendants.

Kamaladdin being deep in arrears to Government, these persons had interest enough, as it would seem, to instigate the officers in the revenue department against him. He was consequently imprisoned; but the Supreme Court espousing his cause, he was immediately released by habeas corpus. The very next day he was again imprisoned and again released in the same manner. He then sent to Hugli for his son to superintend his affairs, during transactions which so unavoidably engrossed and distracted his attention. In coming up the river to Calcutta, the youth was unfortunately drowned. This unexpected disaster, co-operating with his other embarrassments and sufferings, suddenly overwhelmed him with despair. He then became an object of pity and commiseration to all his friends and former acquaintance. And it was not long before he absconded, and has never been heard of since. I may note that this book is thoughtfully written and contains some account of the famine of 1770.

Mohan Prasad, the other principal witness in the forgery case, appears to have died in 1777, for there was a suit between Balgovind and Kissen Pooreah, Mohan Prasad's administratrix, in the fourth term of that year.

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PROCEEDINGS IN THE FORGERY CASE.

Nanda Kumar was committed to jail on the forgery-charge on Saturday the 6th May. According to Price, Hastings did not hear of this till next morning, and then said that he was sorry that bail had been refused, and that it would be laid to him. Price specifies "next morning," in order to show that Hastings had nothing to do with the matter, but it at least shows that he got early information. He seems to have been then living at Alipore and as he was in the habit of retiring to rest early, he would probably not hear of a commitment which took place at about 10 P. M. on the Saturday, earlier than the Sunday morning.

I have already observed that the proceedings of 6th May were not published by the Judges. I have pointed out how suspicious this is, and I think that we have sufficient materials to prove that Mohan Prasad did not start the prosecution. He was a witness on the 6th, but I doubt if he was more, and I am glad to be able to relieve him in some measure of the infamy of instituting the proceedings.

The first piece of evidence which I have to offer on this head is a letter written to the Court of Directors by Lemaistre and Hyde on 2nd August 1775. There they say "no doubt of his (Nanda Kumar's) guilt remaining in the breast of either of us *upon the evidence on the part of the Crown*, a commitment in the usual form was made out." So also in the warrant of 6th May, Mohan Prasad is referred to as a witness, and not as a prosecutor. The words are "receive into your custody the body of Maharaja Nanda Kumar, herewith sent you, charged before us upon the oaths of Mohan Prasad, Kamaladdin Khan, and others, with feloniously uttering," etc.* Price too tells us that it was the Company's lawyer who set the prosecution afloat. He says, "at this time a set of hungry wolves, of dastardly, selfish lawyers, had been let loose on the settlement, and they prowled about into every corner in quest of prey." Then he adds, "I am not quite certain how the truth came to light, but I have heard that a black writer, who had acted in the Mayor's Court, under the Register, Magee, gave a hint to the Company's lawyer in what part of the Register's Office the papers were to be found, and he flew with them to the sick nephew, Ganga Vishnu." The nephew, he says, was hurried on against his will to admit of the prosecution—"The papers were produced, the fact sworn to before one of the Judges, as acting Justice of the Peace for that day, and the Raja committed to the county gaol." Further on, he says, "the Company's lawyer had certainly a view to the obtaining a good sum of money from the Raja, on the

* It will be observed that there was at this time no charge of forgery.

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idea that he should be able to quash the evidence—and it is not unlikely but he might have effected it had he only had Hindus to deal with, who are averse to the spilling of blood,* and in particular that of a Brahman; but he had snatched the prey out of competitors' hands who were as greedy and knowing as himself, and who, spirited up by the majority, joined against him in support of the Raja, and undertook his defence." Price also says that the Company's lawyer used to boast that he would save the Raja's life, if his counsel would consent to his paying the debt, and give him a handsome sum. The Company's lawyer here referred to can only be Mr. Hercules Durham, who afterwards conducted the prosecution. I would not rely much on Price's unsupported assertions, but we have evidence in the report of the trial that Durham had to do with the starting of the prosecution. He gave evidence and stated, (1094,) that he had the bonds (Exhibit, A and the two tips) in his possession three days *before* the commitment of the Raja. His evidence (1039) also shows that he took part in getting up the evidence, and in particular that he endeavoured to find out who had written the bond. He did this, he said, three days after the commitment. Durham was not only the Company's lawyer, to which post he was appointed in January or in February; he was also the head of one of the Kachahris, for Manahar Mitra speaks of him as his master, and Durham speaks of sending for the Kachahri (books?) That he was to some extent an intimate of Hastings, appears from the latter's classing him along with Vansittart and Elliot. Writing to Graham and Maclean, on 29th April, he sends them the copies of the examinations in the conspiracy case, and adds "for Fowke's defence I have the joint recollection of George Vansittart, Durham and Elliot, added to my own."† This refers to Fowke's imprudent question to Barwell. His defence, as the report states, was not minuted. Sir J. Stephen asks (1,183,) why was Driver the solicitor not cross-examined as to the origin of the prosecution? The answer may now, I think, be given that it was not Driver who was the solicitor for the prosecution, it was Durham. Mohan Prasad's power of attorney, as I have already pointed out, was not drawn till 6th May, and apparently after the commitment. I should have thought too that if either Durham or Driver had been questioned on such a matter, they could have

* Compare this with Naba Krishna's evidence and Ram Nath's statement, that Mohan Prasad said he could not desist on account of the English gentlemen.

† Durham was also one of the persons who made affidavits, (Elliot being the other) that it was a common belief in Calcutta that Clavering and others were resolved to rescue Nanda Kumar by force.

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pleaded privilege. If the prosecution had been really a private one, Driver would, in all probability, have conducted the proceedings before the Judges on the 6th. But it is clear that he did not do so, from what Price says, and still more from the fact that the documents were not with him but with Durham. Driver had been solicitor in the civil suit, and naturally he would have appeared before the Judges, if the case had been brought by Ganga Vishnu or Mohan Prasad.

On the Monday after the commitment Nanda Kumar addressed the following remarkable letter to the Council. I have already quoted it in part but it ought to be given at length.

"After having been honoured with the confidence of the Nawab Jafar Ali Khan, so specially the friend of the English, after having discharged the first office in the Subah, after being now ten years retired from all public employment and having seen my son appointed to a distinguished post with this testimony, as I have been credibly informed, of the Governor's approbation of his father, that he instituted my son in the post with a view to his profiting from my experience and wisdom, I might startle the Honourable Board with an address from the common jail, had I not in a degree prepared them for some fatal change in my situation by a representation which I made in the month of March 1775, of the severe menaces that had been uttered against me by the Governor-General. When the first magistrate declares his determined intention of hurting an individual to the utmost of his power, the enemies of the man so marked for destruction will eagerly grasp at an opportunity for gratifying their malice, the dissolute and abandoned will find a sufficient inducement to prosecute him from the hopes of gratifying the resentment of the men in power, and if the unhappy man so devoted has by his upright conduct made the wicked his enemies, malice and wickedness may unite their endeavours to complete his ruin. To advance a step further, should the first man in the State countenance in public men known to be destitute of all moral principle, and as publicly known, to be the enemies of the person against whom he has denounced his resentment, should he treat a man of such principles with a degree of distinction far above his rank in life, should he admit him to private conferences with him, what is the wretched object of his resentment to expect, where shall he find an asylum when the whole body of the wicked and abandoned is let loose upon him? I mean not, however, to deprecate the Governor-General's resentment. The reason of the encouragement offered to my enemies, and the motives of the Governor-General's resentment against me will be sufficiently explained to the world by the representations I have already made in a former address to the Honourable Board.

Should my life be taken away by the flagitious charge now laid against me the facts before alluded to will remain upon record, the witnesses will be ready, and the proofs produceable whenever the Governor General has courage sufficient to hear them.

A charge which has now been three years depending in a civil court without the witnesses upon whose evidence I have been committed having been once produced, or mentioned, has been laid against me by men who are marked by the public as the most turbulent and abandoned.

My only intention in setting forth the services I have done and the character I have to an advanced age supported, is to introduce my request that I may not suffer upon such a charge from the bare accusation, a punishment equal to that of death."

The Honourable President, I am well assured, is fully sensible of the fact

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I allude to; it may be requisite to explain to the rest of the honourable members of the Board that the institutions of our religion strictly enjoin a number of ablutions, prayers, and other ceremonies to be performed by the sect of Brahmans before they can take any kind of food. Nothing of this can be performed in the place where I am now; and could even these obstacles be surmounted, the place itself, as being inhabited by men of a different religion would prevent my receiving any sustenance without breaking through rules which I have hitherto religiously observed; I therefore humbly request that I may be permitted to reside under as strict a guard as may be judged requisite in some place where this objection may be obviated."

Nanda Kumar said nothing in this letter about his physical discomforts in jail, and probably they were not very great, for special arrangements were made for him. That, however, the Calcutta jail was a dreadful place may be seen from the evidence of Francis, Creassy, Hicky and Shakespeare. Impey put both Naylor and Swainston into this jail. Naylor was in bad health, and died a few months after his release.* Francis deposed that he believed that Naylor's death was hastened, if not occasioned, by his confinement. The same witness said of Swainston.† "He was as strong and healthy a young man as any in the Company's service; he paid the witness a visit the day he came out of prison, but he was so much altered and reduced by his confinement that he did not at first recal who he was."

Upon receipt of Nanda Kumar's letter Monson moved that the Sheriff and his deputy be requested to produce the warrant of commitment. On this Hastings said, "I object to the motion as I shall do to every interference of this Board with the authority of the Judges of the Supreme Court." Francis and Clavering agreed to the motion and so it was carried. The object of sending for the warrant was to see if it directed the Sheriff to imprison Nanda Kumar in the common jail. In fact, it did not, but Tolfrey put him there, and this was approved of by the Judges. Though the commitment had only been made by the Judges in their capacity of Justices of the Peace,‡ they became furious at the Sheriff's being sent for, and on 25th May Lemaistre and Hyde

* North Naylor was the Company's attorney. He was put into jail for not answering interrogatories. This was in the beginning of March 1780 and on the 5th idem his wife died. He was not let out till about the 16th. Swainston was, as well as Naylor, punished for his conduct in the Kasijora case. The sentence was, that he be imprisoned for three weeks, fined Rs. 200 and costs, and give security on Rs. 20,000 for his good behaviour for two years!

† He was Assistant at Midnapore.

‡ It may be worth pointing out that in this respect the Members of Council were on a par with Lemaistre and Hyde for by s. 38 of the Regulating Act the Members of Council had power to act as Justices of the Peace.

wrote that if on the minutes of the *Board's* being made public, they should be found to contain any insinuation or reflection which might cast an imputation upon them, they would hold every individual member of the Board who joined in such defamation as personally liable to them to the utmost extent of the laws of England." I submit that such language as this justified the apprehensions of Monson and Francis, when Clavering proposed to produce the letter that Nanda Kumar had sent in August. It was probably with reference to it that Francis said that the Judges could have fined Clavering to the utmost extent of his goods (I quote the expression from memory). It is noteworthy that Hastings was present when Nanda Kumar's letter of 8th May was read, and that he did not repudiate its accusations.* Ten days later he wrote to his agents, Graham and Maclean, that the old gentleman, Nanda Kumar, was in jail, and in a fair way to be hanged. Sir J. Stephen admits that this shows that Hastings was pleased at the prospect of Nanda Kumar's being put to death but he thinks that it is against the theory that he was then engaged in a conspiracy to murder him. He says that in that case Hastings would hardly have chuckled over the matter to his agents and that he should have expected him to avoid the topic (I, 75 note.) Now in the first place, Graham and Maclean were something more than Hastings' agents. He calls them in this letter his dear friends, and says he remains their, "sincerely affectionate and faithful servant." In the second place, he might write to them what he chose, for they were then on the high seas and would not get his letter for months, and long after the case had come to an end one way or other. It is important also to notice that in this very letter and in the chief part of it, *viz.*, the postscript, he retracted his intention of quitting the country and said he would wait the issue of his appeal. His reason for doing so is also remarkable; it is because he does not believe that men, whose actions are so frantic, will be permitted to remain in charge of so important a trust. The frantic actions referred to are described in the earlier part of the letter and have all to do with Nanda Kumar. They are, the visit to him when he was about to be prosecuted

* Sir J. Stephen's account of the Council's proceedings on Nanda Kumar's petition and of Impey's conduct, is not correct. He says that the Council examined the Sheriff as to the merits of the case, which they did not do, and he implies that Impey at once sent his own physician to attend Nanda Kumar. Now Impey did not do this till the 9th. On the 8th, he told the Sheriff that Nanda Kumar was not committed by him and that he had no power to interfere in the affair, there being felony expressly charged in the warrant. On the 9th he wrote to the Board about the opinions of the Pandits but showed no inclination to mitigate the rigour of the imprisonment and asked the Board to tell the Maharaja that if he wished to petition again he should do so immediately to the Judges.

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for conspiracy, the elevation of his son to the first office in the Nizamut, and the dismissal of Mani Begam. But the essential point in the reference to Nanda Kumar is, in my opinion, the indication that Hastings was cognizant of the evidence against Nanda Kumar, or at least that he had reason to believe that Impey would hang him. Unless he was so cognizant, he could hardly conclude, from the fact of his being committed, that he was in a fair way of being hanged. We know from Nanda Kumar that he had had private interviews with Mohan Prasad, and this and the fact that Impey was his sworn ally might justify his writing in this confident way. Sir J. Stephen asks how could Hastings or his friends tell that Nanda Kumar might not have documents clearly proving that the transaction was a genuine one, etc. But here we have Hastings believing that Nanda Kumar was likely to be hanged before a single witness had been examined for the defence. As to rushing prematurely into such a prosecution, no one ever said that he was the ostensible prosecutor. Granting that it failed, Hastings could always say that he was not the prosecutor. He could repudiate his agents, Kanta Babu, Kamaladdin, Mohan Prasad and the rest of them, just as he, on another occasion, repudiated Maclean.

The June Assizes began on the 3rd, but we have no record of what took place till the 8th, when Nanda Kumar was put up to plead. The whole of that day seems to have been taken up with deciding preliminary objections raised by Farrer, and it is characteristic of the report that it dismisses this most important part of the proceedings with a very few words. All we are told is that "the prisoner being called to the bar and arraigned, and the indictment read, his counsel tendered a plea to the jurisdiction of the Court; but the Chief Justice pointing out an objection thereto, which went both to the matter of fact and the law contained therein, and desiring the counsel to consider if he could amend it, and take time for so doing, he, after having considered the objection, thought proper to withdraw the plea; whereupon the prisoner pleaded not guilty."

This does not seem a fair account of what occurred. Farrer was examined before Touchet's Committee in 1781, as well as in 1788 in the proceedings for Impey's impeachment, and presumably his memory was better on the first occasion. He was asked then if he took advantage of questions concerning the inapplicability of a penal English statute to the case of Nanda Kumar, and he replied no doubt he did. He first prepared and put in a plea * to the jurisdiction of the Court; *that* being overruled he afterwards contended that though the Judges

* Why is this written plea not published in the report?

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might in strictness deem themselves competent to try him, yet that the English statute that made the offence upon which he was tried capital, could never be meant to extend to persons in his circumstances.

Being asked if that argument was admitted in favour of his client he said that the circumstances which were publicly known to have followed spoke the contrary, as he was condemned and executed.

Unfortunately, I have not been able, while writing this article, to see the evidence which Farrer gave in 1788. I have therefore to depend on Sir J. Stephen's abstract, and this is not satisfactory, as I observe that he adopts Farrer's evidence when it helps Impey, and rejects it when it is against him. He accepts it, for example, when Farrer says that evidence was given about Calcutta's being a seat of great commerce, though there is not a word of this in the report, but he rejects it when Farrer says that he withdrew his plea on being threatened with judgment against him, if it failed. Sir J. Stephen says that he cannot pretend to say what Lemaistre meant by shaking his head, and ignores the fact that this was not all that occurred. Lemaistre not only shook his head, but said "No, No" when Farrer urged that the accused in capital cases had a right to plead over, Farrer also said that the Court intimated further that they had no discretionary power to allow him to plead over. Sir J. Stephen admits that such a judgment would have been monstrous, and have justified almost anything that was said of the Court. But why does he refuse to believe that the Court did this monstrous thing? Is it likely that Farrer would otherwise have withdrawn a plea which, apart from the merits, as he told the Committee, was the principal thing upon which he depended? Sir J. Stephen says, "it would have been better to allow the plea to the jurisdiction, and to permit the prisoner to plead over to the felony, but I draw no special inference from the course taken by the Court, as it did not prevent a motion for arrest of judgment on the same ground." (I, 221.) This might lead the reader to suppose that the point was taken in the motion for arrest of judgment. But this is not the case, the only points then taken being paltry quibbles about dots, etc. Why did Farrer not take the plea in his motion for arrest of judgment? Clearly, I think, because it had been ruled against him, and evidence had been gone into on the understanding that it was abandoned. This being so, Farrer could not, without a breach of faith, or at least with any prospect of success, reopen the question. Farrer's plea on 8th June did not, according to Sir J. Stephen's abstract of it, take the point of the Statute's not being applicable to Calcutta. The point was taken by Chambers, but he was overruled by the

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other judges. Sir J. Stephen's account of the matter implies that Chambers, and Farrer too, were convinced by evidence which was given about Calcutta's being a commercial city, and Farrer is quoted as saying that he was beat even in his own opinion on that ground. There seems, however, to be an anachronism here. The evidence to which Farrer referred was evidence given during the trial, (Stephen I, 224) whereas the discussion with Chambers took place before the trial began. Farrer speaks distinctly of witnesses examined during the trial and of statements by one or two of the jury. He names four witnesses, Hazari Mal, Kashi Nath, Naba Krishna and Khwaja Petrusc. All these persons were examined during the trial, but so far as the report goes, they said nothing about the commerce of Calcutta. Sir J. Stephen is therefore in this dilemma, that either Farrer's recollection was mistaken, or the published report is grossly inaccurate. It is also noteworthy that Impey did not take this defence in the House of Commons. He said nothing about witnesses deposing to the commerce of Calcutta. I am therefore of opinion that Farrer was mistaken, as was not unlikely to be the case, when he was giving evidence after so many years.

Impey said in reply to Chambers that he had always conceived India, and particularly Calcutta, to be greatly commercial, and Sir J. Stephen follows him, and says that he does not see why the Statute 2, Geo. II, was less applicable to Calcutta, than to London. I suppose, then, that Sir J. Stephen is prepared to assert that Calcutta in 1770 was more commercial than any town in Scotland or America, to neither of which places had the Statute, so far as I am aware, been extended.* It must be remembered that it is not the state of things in 1775 that we have to consider. The bond purported to have been executed in 1765, and it certainly was not executed later than January 1770. 1770 was the year of the famine, in which about one-third of the inhabitants of Bengal died of hunger. This does not say much for India's commerce. In the following year the Court of Directors wrote : "On comparing the once flourishing state of the commerce of Bengal with the gradual decline it has undergone for several years past, it gives us the greatest concern that so unhappy a change should have occurred under our Government." (letter of 10th April 1771, quoted in Bolst 3, App. A., 250.) In 1770 Calcutta was at most only the second town in Bengal. Murshidabad was the capital and was known

* Scotland was expressly excluded from the operation of the Statute. The words used to denote the punishment for forgery were surely enough to show that the Act was intended only for England. They were : "shall suffer death as a felon without benefit of clergy."

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by the name of "the City." The courts were there, and it was there that the *punya* was held. It was not till 1772-73 that a change was made by bringing the courts down to Calcutta. Hastings wrote in October 1772, that by these arrangements the whole power and government of the province would centre in Calcutta, and that it might now be considered as the capital of Bengal. He exults in thinking, (Gleig, I, 285) that the changes will one day make Calcutta the first city of Asia, and many years afterwards he applied to himself the boast of Augustus, "*Urben lateritiam recepi, marmoream reliqui.*" This might be true, for in India everything follows the Government, and towns sometimes spring up more rapidly than they do in Australia or America, and it was unjust to overlook this fact and to judge Nanda Kumar according to the state of Calcutta in 1775, and not according to its state in 1765 or 1770.

Sir Elijah Impey himself gave testimony against the populousness or prosperity of Calcutta in 1770, and unconsciously demolished the defence which Sir J. Stephen now makes for him. The way he justified himself was, that English law was in force in Calcutta, and that if the natives did not like it they should not have come there. His words are: "it was not till since the seat of Government, and the collection of the revenues have been brought to Calcutta, that it has become populous, by the influx of black inhabitants. The laws have not been obtruded on them, they have come to the laws of England." This is what he said at his impeachment, and I am not aware that he made any reference to Hazari Mal or Kashi Nath. Impey represented Chambers as having acquiesced in his view about the applicability of the statute, but Mr. Belchambers' note (p. 1,) shows that Chambers adhered to his former opinion eleven years afterwards. In 1786 when a native was charged under 2, Geo. II, c. 25, s. 2, Chambers was of opinion, that the statute did not extend to Bengal. Hyde thought it did, and Sir William Jones doubted, but agreed that the case should proceed. Here again we find Chambers overruled, but not waiving his opinion. Two years later in Martin Shabin's case, Chambers seems to have brought Jones round to his opinion.

Sir J. Stephen describes Sir William Jones as only doubting if 2 Geo. II. C. 25 extended to India, and he seems to think that the earliest authority for the doctrine about the introduction of the English statute law in 1726, as Sir Edward East's paper of 1825.

The following extract, however, from Sir William Jones' charge to the Grand Jury on 4th December 1788, shows that that judge became convinced that the statute did not extend to India, and that he grounded this partly on the Charter of 1726.

He says: "The Armenian whom I mentioned under the head

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of perjury being also charged with having forged the bond, to the due execution of which he positively swore after strong and repeated warnings by an interpreter of his own nation, the great question again* arises whether the modern statute, which makes forgery capital, extends or not to those Indian territories."

"On the fullest consideration, I think the negative supported by stronger reasons than the affirmative; the statute in question seems to have been made on the spur of the times. Its principal object was to support the paper-credit of England, which had just before been affected by forgeries of bank-notes, and it contains expressions which seem to indicate a local operation. The punishments which it enforces are beyond the laws of nations, and the British laws appear to have been introduced into India by a charter preceding the statute, so far, at least, as to bring this country within the general rule.

"Nevertheless, I still think the question debateable. I see it as I lately told the senior Judge (Chambers) who agrees with me, rather with the light of the rising than with that of the meridian sun; and the learned argument of the Judge (Hyde) who differs from us, has rendered the point still doubtful. It makes me wish for a decision of it by the highest authority at the fountain-head of justice. Yet the reasons arrayed on the opposite side so far turned the scale as to justify me in recommending an indictment on the statute of Elizabeth, especially as a conviction on the modern statute would not, at present, be followed by execution." Jones' Works 3, pp. 32-33.)

The Armenian here referred to must be Martirus Shabin † who according to Mr. Belchambers' note was convicted on 11th January 1789, under the statute of Elizabeth, of publishing a forged document. Sir James Stephen says "of the reasons for the judgment given no record remains," but here we have them in Sir William Jones' charge! I do not see how it shows anything against Chambers. It was Jones who changed his opinion.

One of the points urged at the impeachment of Impey was that Nanda Kumar was not a voluntary inhabitant of Calcutta when the forgery was committed, but was only there as a prisoner. Sir J. Stephen says that the assertion was altogether unfounded, and yet his own documents corroborate it, for the so-called "life of Nanda Kumar" mentions that Nanda

* Alluding to the case of 1786.

† This case is mentioned in Seton-Karr's *Selections from Calcutta Gazettes*, p. 278. The accused is there called Mutthruss Shawun. The offence was committed against Mrs. Dustagul, the widow of Mr. Petruse, (Khawaja Petruse the witness?) Apparently it was tried in December 1788. The case in 1786 did not perhaps necessarily raise the question of the applicability of 2 Geo. II., c. 25, for the charge was not capital even under it.

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Kumar was sent under a guard to Calcutta after the accession of Najam-ad-daula. This was in February or March 1765, and the author of the Sair tells us that when Lord Clive came out later in the year, he refused to re-instate Nanda Kumar in the diwanship, and *ordered him not to go out of Calcutta*. If, then, the forgery be taken to have been committed on the day mentioned in the bond, 20th August 1765, I think that it is tolerably clear that Nanda Kumar was not a voluntary inhabitant of Calcutta at the date of his offence.*

It deserves to be noted that according to Farrer and the report of the trial, it was the Chief Justice who immediately gave a decided opinion both as to the matter of fact and of law contained in the plea. This does not look like the act of a prudent and wary judge, for unquestionably the point was arguable, and not to be lightly disposed of. The point that the misdemeanour merged in the felony, and that, therefore, the Act of Elizabeth was not applicable, does not seem to have been taken at the time by Impey. Sir J. Stephen holds that it was the correct view, but Chambers and Jones, JJ., seem to have been of a different opinion, and I was under the impression that no English statute became obsolete by lapse of

* In the indictment in the forgery and conspiracy cases Nanda Kumar is described as late an inhabitant of the town of Calcutta. Does this mean that he was not so formerly? Nanda Kumar was often under arrest. Mr. Long publishes a petition of his dated March 1763 in which he complains that he has been in confinement for several months. He was released during the war with Mir Qasim and accompanied Mir Jafar to the army, but when Mir Jafar died he again got into trouble. The author of the Sair says that Vansittart had a very bad opinion of Nanda Kumar, and wrote all his delinquencies in a book, and told his brother George, known as Hushiar Jung, to read it to Clive upon his arrival. The younger Vansittart did so, and the effect was that though Clive had been disposed to favour Nanda Kumar, he now turned against him, and would not make him Diwan. It is possible that Naba Krishna had some hand in this disgrace of Nanda Kumar, for we are told, that in 1767 Nanda Kumar revenged himself by getting up a charge of rape against Naba Krishna. The case failed and Nanda Kumar was threatened with being made over to the country government, a fact which shows that the Council did not consider him subject to the Calcutta Courts. (Bolst, 3 App A. 155.)

I may here notice that Lord Macaulay and Sir J. Stephen seem to be wrong in ascribing the enmity of Gholam Husein towards Nanda Kumar to the fact that the latter had helped to bring down Mahomed Raza Khan. The author of the Sair was no admirer of Mahomed Raza and says many things against him. His dislike of Nanda Kumar was more probably due to his dislike of his master, Mir Jafar. Gholam Husein had attached himself to the party of Mir Qasim and he complains bitterly of Mir Jafar's treatment of Mir Qasim's friends. It is likely, too, that Gholam Husein was prejudiced against Nanda Kumar by his friend, George Vansittart. The so called "life of Nanda Kumar" was certainly written by a native, and I should not be surprised if Gholam Husein had something to do with it.

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time, or implication, but was alway in force until expressly repealed.

A good deal has been said by the defenders of Impey, and among them, by Sir J. Stephen, of the case of Radha Charan Mitra, and it is therefore necessary to examine it a little. Radha Charan Mitra was convicted of forgery at the Calcutta Court of Quarter Sessions, and sentenced to death. The forgery consisted in the fabrication of a codicil to the will of an Armenian named Khwaja Solomon. In the following month the natives of Calcutta, etc., petitioned Mr. Spencer, the Governor, against the sentence, and the result was that Radha Charan was respited and eventually pardoned. The trial had taken place before three of the Company's servants, Pleydell, Burdett and Gray, who were, of course, not lawyers, and whose decision Impey would have paid very little respect to, if it had not happened to support him.

The petition of the inhabitants is given in Verelst, and also in Mr. Long's selections, the first words of the second paragraph are "Your petitioners, therefore, beg leave to set forth the general consternation, astonishment, and even panic, with which the natives of all parts, under the domination of the English, are seized at the example of Radha Charan Mitra: they find themselves subject to the pains and penalties of laws to which they are utter strangers, and are liable through ignorance unwillingly to incur them; as they are in no ways interested in those laws they cannot tell when they transgress them, many things being, it seems, capital by the English laws which are only fineable by the laws of your petitioner's forefathers, to which they have hitherto been bred, lived, and been governed, and that till very lately, under the English flag." It seems also from the same petition that the jury recommended the prisoner to mercy.

It is important to notice that Radha Charan's offence was committed against an Armenian.* This was of itself enough to distinguish it from Nanda Kumar's case. For the purposes of jurisdiction Armenians were looked upon as Europeans. They had no law of their own, and they have always been treated as subject to English law. For instance, in 1881, the Calcutta High Court found that an Armenian wife was entitled to dower under the English common law (I. L. R., VI., Cal. 794.)

Armenians were not regarded by the Indian Government as natives of India, and it was on this account that in May

* It appears from a letter from Najam ad-daula to the President (Long's Selections, p. 416) that Khwaja Solomon was a native of Constantinople. Impey in his defence, before the House of Commons said that in Radha Charan's case an Armenian had been prosecutor.

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1768, the Calcutta Council decided that Armenians could not be allowed to trade in the interior. They wrote (Bolst III, App. E. 404.) that only natives of the country should in future, enjoy the privilege, and that Armenians, Portuguese and their descendants were excluded. Verelst's book was published in 1772, and it is scarcely conceivable that Impey could not have seen it. At least Hastings must have been well acquainted with it, for Verelst was one of his predecessors, having been governor from 1766 to 1769. One of his chapters is entitled "The impossibility of introducing English laws into Bengal," and he gives this case of Radha Charan as one instance of the absurdity of applying English laws. He says (p. 141) "the amazing extent of public and private credit in Great Britain has induced our legislators to punish forgery with death. Under this law a native of Bengal was condemned in the year 1765. But so extravagant did the sentence appear, where experience had never suggested the principle : such the disproportion in their eyes between the punishment and crime, that the principal inhabitants of Calcutta expressed their astonishment and alarm in a petition to the Governor and Council ; and upon a proper representation Radha Charan Mitra received a pardon." * Verelst prints the petition in his appendix (p. 177) and it may also be read in Mr. Long's Selections (p. 430) where it appears with copies of the ninety-five signatures. Impey had the effrontery to say that the natives did not complain of the law, but only of their ignorance of it, and that the whole passed in the ordinary course of business, and accorded with all the other proceedings of the Court. Even if this last statement were correct, it would not authorize the inference that the Court of quarter sessions claimed full jurisdiction over natives. In March 1767, that is, two years after Radha Charan's case, the justices were, upon deliberation, unanimously of opinion, that a criminal charge between natives only, did not belong to the jurisdiction of the sessions (Verelst, p. 26). Acting on this view they declined to hear the complaint of Gokal Sonar, who had charged Naba Krishna with abducting and violating his sister, and referred the complainant to the Court of the zamindar. This was a case in which both parties were natives, and therefore it does not conflict with the decision in Radha Charan's case.

During the debates on Impey's impeachment Colonel Fullarton quoted a firman of 1764, in which the Company were enjoined to decide causes "agreeably to the rules of Mahomet

* I am indebted to the Home Office, Calcutta, for an extract from the Court of Directors' dispatch. The language is a little stronger than as quoted by Impey and Sir J. Stephen for the Directors say "we are very glad you have interfered in his behalf."

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and the laws of our empire." (Parliamentary History 27, p. 471.) Sir J. Stephen says that the firman is not to be found in Aitchison's treaties, and he appears to doubt its existence. It would have been strange if Mr. Aitchison had omitted it, for the firman is an important one, and was published both by Bolst and Verelst. It is, however, in Aitchison (vol. 2, p. 6) being omitted from the first vol. as it does not relate to Bengal. It is dated 29th December 1764, and is the deed whereby the Company obtained Ghazipur and the rest of the zamindari of Raja Balwant Singh.

As regards the question of the applicability of 2 Geo. II., C. 25. It is now settled law that the judges were mistaken in thinking that the Act was in force in Calcutta. It was passed in 1729 and it has been long admitted that no English statute passed after 1726—the year in which the charter for the Mayor's Court was granted—is in force in India unless specially extended thereto. (See Mr. Whitley Stokes' preface to his collection of Statutes relating to India.) No doubt this is a mistake into which the judges might fall in good faith, but it is a curious Nemesis that when these English lawyers thought they were applying *summum jus*, they were technically, as well as substantially, wrong. Sir J. Stephen endeavours to controvert the view taken by the Indian Courts, but I do not suppose that his authority will be considered superior to that of Sir W. Jones, Sir E. East, and many others. One curious remark he makes is, that if no statute passed after 1726 be *ipso facto* in force in India, then all indictments should have been in Latin, for the statute requiring them to be in English was not passed till 1730. And he says, that the effect of this would have been that the doors of the Court would have been practically closed on the criminal side. Now, in the first place, the terms of the charter were, I think, wide enough to allow the substitution of English, and in the second place, supposing that the provision of the common law did apply, how did it close the doors of the Courts? What did it matter to Mohan Prasad or Nanda Kumar, or to the natives generally of those days, whether the indictments were in English or in Latin? Both languages were equally unintelligible to them.*

* Though Impey and Sir J. Stephen have said much about the charters of 1726 and 1753, it does not seem that they were the ground on which the judges decided in 1775 that Nanda Kumar was subject to the jurisdiction. What they held was that he was a British subject in consequence of his being an inhabitant of Calcutta, and that this rested on the fact of conquest. In 1782, Hyde, J., said "we say, the inhabitants of this town are all British subjects, because this town was conquered by Admiral Watson and Colonel Clive; but that does not extend to subordinate factories." Chambers, J., concurred. Russell, C., J., in his

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The report tells us nothing about the Grand jury, but Captain Price says that it was composed of twenty-three jurymen chosen out of forty-eight gentlemen of unblemished character. One of these gentlemen of unblemished character was Price himself, and his gentlemanliness and character may be judged of by his writings, and by his ship-contracts. (Francis' *Memoirs* II, 133, 134.) According to him, the Grand Jury unanimously found a true bill.

The indictment consisted of twenty counts, and in each of them the bond was recited, so that the paper was of great length. The reason why the indictment had so many counts was because the drawer could not make up his mind as to whether the document was a bond or a writing obligatory, or a promissory note, or whether Ballaki Das was alive or dead in January 1770. The indictment contained the averment that the offence was committed after 29th June 1729, so as to bring it under the Statute of Geo. II., which came into force after that day. Sir J. Stephen is angry with me for saying that the indictment was drawn by Lemaistre, but his quotation from Tolfrey's evidence shows, that when the latter was questioned on the assumption that he had acknowledged having seen a copy in Lemaistre's handwriting, he did not object or say that the question was unfair. Tolfrey was a lawyer, and not a timid or ignorant witness, and would surely have objected to the question, if he thought it unfair.

Sir J. Stephen's remark that the report to which Tolfrey referred might have been a report in London in 1788, is, I humbly think, a very preposterous one. Tolfrey saw the paper in Calcutta in 1775, and his words imply that he had heard of the report before he saw it.

Of course, Lemaistre may have copied out the indictment without his having himself drawn it. I should have thought that there was nothing very extraordinary in Lemaistre's drawing up the indictment, for he was the committing magistrate and the prosecution was being conducted by a Government official, Mr. Durham.* It is evident that Lemaistre took a great

judgment in the case of the goods of Bibi Metra, in 1832, speaks of the original four judges of the Court holding that all Hindus and Mahomedan inhabitants of Calcutta are British subjects, and remarks that the reasons upon which this view is rejected by Mr. Justice Ryan are such as would induce any lawyer to pause, at least, before coming to the conclusion that such a ground of jurisdiction is sustainable: "Clarke's Notes, quoted by Thornton, p. 160."

This being the view that the judges took, I ask why did not Impey accede to Nanda Kumar's request that he should be tried by his peers or at least why did he not direct that there should be Hindu inhabitants of Calcutta, on the Jury?

* Sir J. S. thinks that the clerk could have drawn up the charge, but apparently he was not well skilled in his duties, for Impey wrote that

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deal of interest in the case, for according to Sir J. Stephen he made himself much more prominent than Impey, cross-examining the witnesses for the defence. Sir J. Stephen accounts for this by saying that Lemaistre was the committing magistrate, though I should have thought that this would have made him keep in the background, especially as he had already decided that Nanda Kumar was guilty. However, the point of who drew the indictment is, after all, not one of great importance.

When the indictment had been read and Nanda Kumar's plea to the jurisdiction overruled, he was asked by whom he would be tried, and answered: "By God and his peers." The Court asked, who the Maharaja considered as his peers, and his counsel said, he must leave that to the Court. Impey then said that he could only be tried by British subjects. It does not appear from the report that Nanda Kumar or his counsel claimed that he should be tried by a jury of his countrymen, though probably this was implied by his demand that the jury should be of equal rank with himself, for this required that they should be Brahmins. But it is curious that no discussion seems to have taken place as to the meaning of the phrase "British subjects."* But the term "British subject" is by no means free from ambiguity, as Mayne, in his Commentaries on the Indian Penal Code, has shown.

Sir J. Stephen, too, when seeking to vindicate the Supreme Court from the charge of usurping jurisdiction over the natives of India, points out the ambiguity of the phrase. He says, "in one sense the whole population of Bengal, Bihar, and Orissa were British subjects. In another sense no one was a British subject who was not an Englishman born. In a third sense inhabitants of Calcutta might be regarded as British subjects, although the general population of Bengal was not." In another place he points out that the words of the charter, subjects of Great Britain, might exclude Irishmen. It is difficult to believe that if the Regulating Act or the Charter intended that the Supreme Court should have jurisdiction over all the inhabitants of Calcutta, it was not also intended that natives should be tried by their own countrymen. When Sir J. Stephen asks me if there are no fair trials in British India now-a-days, (I, 185. note) he knows perfectly well that no such trial as that

the witnesses for the defence could not be prosecuted to conviction partly on account of want of skill in drawing up the indictments. If I am wrong about Tolfrey's evidence, I am so in good company, for both G. Eliot and Pitt (who voted in favour of Impey) give the same account of his evidence as I have done.

* Section 34 of the Regulating Act directed that all offences should be tried in the Supreme Court by a jury of British subjects resident in the town of Calcutta, and not otherwise. This, I presume, controls the slightly different expression "subjects of Great Britain" used in the Charter.

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of Nanda Kumar can now take place. Natives are now tried by mixed juries or by judges who know the language, who are assisted by native assessors, and whose decisions are appealable. Impey defended himself for hanging Nanda Kumar by referring to the practice of the Calcutta Court of Quarter Sessions, as instanced in the case of Radha Charan Mitra. It is a pity that he did not think of adopting another practice of that Court, which was, to try natives by juries composed half of natives and half of Europeans. Bolts tells us, (II, 167) that this practice was introduced by Vansittart.

Though Nanda Kumar was, perhaps, not regarded as an alien,* yet surely the principle of the *de medietate lingua* statute, if there was one in force then, was applicable, and he should have been allowed some jurymen who were of his own country. At his trial the judges, the majority of the jury, and his counsel were foreigners, unacquainted with the language of the witnesses, and he himself was ignorant of the language of the Court. The very interpreter was a youth who was not a native, or even the authorised interpreter of the Court† We are told that he was a great linguist, but he had passed no examinations as far as we know, and it does not appear that he had any knowledge either of Bengali or of Nagari; he knew some Persian and Hindustani, but the report which he edited, shows that he was not a scholar.‡

Was a trial so conducted, and in which two of the presiding judges had already made up their minds, entitled to be called a fair trial?

All four judges were present, but Lemaistre and Hyde had prejudged the case, for on the 6th May no doubt of Nanda Kumar's guilt remained in their breasts. The violence of Lemaistre's deportment was notorious. His name was Stephen Caesar Lemaistre, and all he did was in Cambyse's vein. When Nanda Kumar was dying for want of food, he, alone of the judges objected to mitigate the rigour of his imprisonment,§ and he was specially prominent in declaring that if

* He was born at Bhadrapur, in Murshidabad (now included in Birbhum) long before the battle of Plassey, and the grant of the diwani. He therefore was an alien by birth, and it does not appear that he was ever naturalized.

† It appears from his brother's speech that he was only 17 when he went out to India, and that this was after Hastings had arrived in Bengal. Elliot therefore could not have been more than twenty at the time of Nanda Kumar's trial! Chambers, the official interpreter was related to Sir Robert (Bengal Obituary, p. 71), so possibly Hastings and Impey were glad of his absence.

‡ See Richardson's Persian dictionary, p. 77, about Elliot's ignorance of the origin of the words *tamasuk* and *khat*.

§ Yeandle's affidavit. In 1778 Lemaistre caused a panic by letting loose upon Calcutta 60 to 70 convicts. See evidence of Mr. Mill, the Superintendent of Police, and the Report on Touchet's petition.

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Nanda Kumar's plea to the jurisdiction were overruled, a verdict of guilty would follow. As Mr. Farrer deposed, "the Court cut me short, and the prisoner was called upon peremptorily to plead, Mr. Justice Lemaistre, to the best of my recollection, adding, under the pain of being considered as standing mute."

Even Sir J. Stephen admits that Lemaistre was narrow-minded, arrogant and violent, and that little is to be said in favour of Hyde. They afterwards quarrelled with Impey, and then he wrote to Thurlow : "I have every day more reason to be concerned at my having assisted in getting Hyde and Lemaistre appointed judges. Hyde, in whom the seeds of the disorder which he had a little before he left England still remain, and Lemaistre, are violent beyond all measure." I take this quotation from Sir John Kaye's article. He mentions that Impey elsewhere states that his possession of the casting vote was a thorn in the side of his colleagues. In another letter, quoted by Sir J. Stephen, Impey writes that "Hyde is absolutely under the management of Lemaistre, who I fear thinks he shall please Lord Sandwich, whom he thinks his patron, by opposing the Company." We may gather from the above that Hyde had once been out of his mind, and that for a time both he and Lemaistre would be disposed to be subservient to Impey, as he had helped in procuring them their appointments. Chambers was for trying Nanda Kumar under the Statute of Queen Elizabeth, and if Impey had joined with him, his casting vote would have overruled the two other judges and Nanda Kumar's life would have been saved.

The jury who tried Nanda Kumar were obscure men,* and the only two of whom anything is known are Robinson, the foreman, and Weston. The juryman, Samuel Touchet, was probably not the Touchet who petitioned against the Supreme Court, for the latter is called John Touchet in the Report of the Committee.† Robinson's character and abilities may be

* Probably the obscurity of the jury was partly owing to the leading inhabitants getting excused on the ground of their being officials whose attendance would be inconvenient to Government. According to Impey (1058) several got off on this ground who afterwards admitted that they had little or no excuse to offer, but thought that when they saw others excused, they might put in their claim. Another reason for the petit jurymen being men of low rank was, that persons of superior station were absorbed in the grand jury. When grand juries were abolished, one of the reasons given (I think by Sir Henry Maine) was that the measure set free for petit juries the excellent material now locked up in the grand jury lists. The number of educated Englishmen in Calcutta in 1775 must have been very small.

† Touchet, in 1776, was Bakshi, or paymaster, to the Hospital. John Touchet was, I think, an assistant of the Committee of Revenue. Francis seems to be referring to John Touchet when he speaks of a Touchet as agent to Ducarel, (II, 25).

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estimated from his correspondence with Farrer ; and I think it does not say much for the other jurymen that they elected such a man their foreman. Probably he owed the distinction to his having been Mayor of Calcutta in 1771 (Bolts, III, appendix 1, 631).^{*} According to Price, Robinson was a private friend of Hastings, and became bankrupt a few years after the trial. Weston was the son of the Recorder of the Mayor's Court, and was born in Calcutta in 1731. He was originally a servant of Mr. Holwell, and was a Eurasian, as appears from a statement by the Rev. Mr. Long, and also from a notice in the Bengal Obituary, which speaks of him as an instance that "chaste and refined sentiments are not confined to complexion or climate." Some others of the jurors were probably also half castes ; at all events some were country-born, for Impey says so in his charge. The jury was therefore hardly entitled to be called an English or a British jury. It was rather what used to be called a Cossitollah jury. This reminds us of the famous statement of Sir Ashley Eden, when giving evidence before the Indigo Commission. When asked how he would himself like to be tried, he replied that, if innocent, he would sooner be tried in the local Sessions Court, with an appeal to the Nizamat, and if guilty, by the Supreme Court and a Calcutta jury. This was in 1860, but it would seem that the spirit of Lemaistre and Hyde was still hovering about the Supreme Court, for Sir Mordaunt Wells actually wanted to have Mr. Eden called to account for the above remark. †

Nanda Kumar was defended by Messrs. Farrer and Brix, and

^{*} Price's reference to Robinson occurs at page 75 of one of his "Letters of a Free Merchant," and is quoted by Sir J. Kaye in his article on Sir Philip Francis. Robinson was part owner of the "Ashburnham" for the job about which see Debrett's Authentic Copy of Correspondence," vol. I. The majority, in their minute of 15th September 1775, state that Robinson, like Playdell, was dismissed the Company's service. In the same passage Price speaks of Belli, who sent the correspondence between Robinson and Farrer to Impey, as another bankrupt friend of Hastings. Price seems to have been present throughout the trial, and according to him it was Robinson who questioned Yar Mahomed, and led to his being told to begin his evidence over again. We are told (1030) that the foreman of the grand jury, who had been one of the Aldermen and filled the office of Mayor, desired that the records of the Mayor's Court might be produced. Possibly the word *grand* here is a mistake, for Robinson had been the Mayor, and surely the grand jury would not interfere after the prisoner had been made over to the petit jury. It would seem, however, from the address of the grand jury to Sir Elijah, that they remained in attendance throughout the Session.

† Nanda Kumar challenged eighteen jurymen. I can only identify two of these—Richard Johnson, who is said to have arranged Mrs. Imhoff's divorce, and Bernard Messinck, the Sir Barnaby Guzzle of Hickey's Gazette.

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Mr. Impey, with his usual recklessness, calls them two English barristers of eminent ability and repute. In this he has been followed by Kaye, though he more cautiously terms them two of the most eminent English lawyers in the settlement. In fact Brix was neither an Englishman nor a barrister. He was a Dane, who had been secretary to Mr. Cazenove, the Governor of Serampore, and was (according to Bolts for informing against him, Bolts) made an attorney of the Mayor's Court, (Bolts II, 78.) Whether Farrer was a barrister or not I do not know. Impey described him as having come out to India under the name of secretary to Colonel Monson, and, as having been admitted an advocate at the desire of Monson. * This would seem to imply that he did not come out a barrister, and this agrees with Sir J. Stephen's statement that he has not been able to find any record of Farrer's having been called to the bar. Perhaps, if a search were made for one or two years after Farrer's return from India, his name might be found, as Price says, somewhere, that he passed as a lawyer after his return.

Farrer is not mentioned by Macrabie among the list of passengers by the *Ashburnham*, so that if he came out with Monson, he was probably in the second mess. Price, in his coarse way, says that Farrer came out so poor that he was glad to become a dog-keeper, (whipper-in?) to a gentleman in the settlement for eighty rupees a month. The point is important because it affects the question of Farrer's independence. If he was not a barrister, and was wholly dependent on the Chief Justice for his position, he would naturally be very chary of offending him, and we, in fact, see that he had not the courage to do his duty to his client. When Nanda Kumar complained to him about the treatment of his witnesses, he shuffled, and to use his own words, avoided giving him a direct answer. Whatever were his abilities and zeal for his client, he could do little for him, as he knew nothing of the native language, and could only communicate with Nanda Kumar through an interpreter. After the jury was sworn the following scene took place between the Chief Justice and him :—

"THE COUNSEL FOR THE PRISONER" "objected to the interpretation of Mr. Elliot, as being connected with persons whom the prisoner considered as his enemies."

CHIEF-JUSTICE—"The principal interpreter of the Court is absent; the gentlemen of the jury have heard the interpretation of the assistant interpreters on other occasions. Do you, gentlemen, think we shall be able to go through this cause,

* Smoult's collection of orders shows that Farrer was admitted an advocate of the Supreme Court on 22nd October 1774.

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with the assistance of those interpreters only?" JURY.—"We are sure we shall not be able." CHIEF JUSTICE.—"It is a cruel insinuation against the character of Mr. Elliot. His youth, just rising into life, his family, his known abilities and honour, should have protected him from it." Mr. Elliot desired he might decline interpreting. CHIEF JUSTICE.—"We must insist upon it that you interpret; you should be above giving way to the imputation; your skill in the languages, and your candour will show how little ground there is for it." MR. FARRER.—"I hope Mr. Elliot does not think the objection came from me; it was suggested to me." CHIEF JUSTICE.—"Who suggested it?" MR. FARRER.—"I am not authorised to name the person." CHIEF JUSTICE.—"It was improper to be made, especially as the person who suggested does not authorise you to avow it." JURY.—"We all desire that Mr. Elliot, whose character and abilities we all know, would be so kind as to interpret." MR. FARRER.—"I desire on the part of the prisoner that Mr. Elliot would interpret."

I submit that we have here a clear indication that Nanda Kumar looked upon Hastings as his prosecutor, and I cannot understand how Sir James Stephen, after reading this passage could write that from first to last Farrer neither suggested, either directly or by a single question in cross-examination, that the accusation against Nanda Kumar was a malicious prosecution got up to silence the accuser of Hastings (I, 182.) Elliot's intimacy with Hastings was well-known, and it was for this very reason that he declined interpreting for General Clavering. He was equally intimate with Sir Elijah Impey, whose son tells us that Elliot had been living at their house in Calcutta, as a member of the family, being treated by Sir Elijah as a son or a younger brother. He was equally dear, he adds, to Warren Hastings. When Elliot went home in August, taking with him the report of the trial, and no doubt with a commission to defend Hastings and the judges, Hancock gave him a letter of introduction to his wife, and in it he says, "Pray treat this gentleman with the greatest civility, he is the friend of our great friend."

The only possible reason Nanda Kumar could have had for objecting to Elliot's interpretation was his intimacy with Hastings, and perhaps with Impey.* I submit also, that Impey's manner on this occasion, was bad, and that he showed, in no equivocal manner, how he would be likely to treat questions tending to connect Hastings with the prosecution. After his remark about cruel insinuations, we need not be surprised

* Impey said in his defence before the House of Commons that Elliot lived in that intimacy with him that he might almost say he made part of his family, and that no secret of his heart was unrevealed to him.

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that Farrer did not offend again. In spite of the above extract from the report, Impey had the effrontery to state before the House of Commons, that Elliot served voluntarily as an interpreter. Poor Elliot could not well continue to decline when one so much older than himself, and one in the position of his host, told him that he must insist on his interpreting, and that he should be above giving way to the imputation. With regard to Sir James Stephen's remark, that no questions were asked during the trial about Nanda Kumar's having accused Hastings of corruption, I have to point out, in addition to what I have just said, that an attempt seems to have been made to get in such questions in the course of the conspiracy trials, and that it was rejected by the Court. I refer to the cross-examination of Francis Fowke. He was asked if Nanda Kumar was employed by his father in investigating any sources of corruption in this country? He answered he did not know; and then we have the note, "The judges here put a stop to any further questions of the above nature." The report does not say whether the defence or the prosecution was cross-examining this witness.

The witnesses for the Crown, excluding mere formal witnesses, were eight in number, *viz.*, Kamaladdin and his servant, Husein Ali, Khwaja Petruse,* Sadaraddin, Mohan Prasad, Naba Krishna, Sabut (?) Pathak and Kista Jiban Das. The principal exhibits were the jewels-bond (Ex. A.) Ballaki's power of attorney, his will, and the probate thereof, Nanda Kumar's receipt for the money (Ex. F.) and papers in Silavat's handwriting (Ex. G.)

The main document in the case was the jewels-bond, Exhibit A. This purported to bear the seal of Ballaki Das, and to be attested by three witnesses, Madhab (?) Rai, Silavat and Kamal Mahomed; this last is the witness spoken of by Sir J. Stephen as Abdehoo Commaul Mahomed, but the first word is no part of the name but the prefix, meaning *slave* (of God) which is often put by Mahomedans before their names (see Wilson, (Abd) and Elliot's explanation 984.) The case for the defence was that all three witnesses were dead. The case for the prosecution was, that Silavat was dead, that there was no such person as Madhab Rai, and that Kamal Mahomed was in fact Kamaladdin. Kamaladdin was thus by far the most important witness in the case. Silavat had signed his name and profession, Madhab and Kamal Mahomed had put their seals, but according to Chaityanya Nath both had also written something above their seals. Kamaladdin's story was that his name used to be Mahomed Kamal, and that the impression on the bond was that of his

* Called also Aga Bedross by the natives.

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seal, but that he had not affixed it. He also said that the words, "it is witnessed," which were written above the seal, were not in his handwriting. He accounted for his seal's being on the bond by saying that Nanda Kumar had put it there without his knowledge or consent. He said that he had sent the seal to Nanda Kumar in 1763 when the latter was at Monghyr with Mir Jafar, in order that it might be affixed to an *arzi* which Kamal wanted to be drawn up and presented to the Nawab. Kamal does not tell us where he was when he sent his seal and the whole story is very strange. Why should he not have written the petition himself, and sealed it, and then have sent it to Nanda Kumar to present? * Sir J. Stephen says that Kamal is corroborated by his khansamah, Husein Ali, but the khansamah referred to by Kamal is called Qasim Ali in the report, and granting that this is a misprint, there is a discrepancy about the number of gold mohurs sent, for Kamal says he sent two, and Husein Ali says three were sent. Another curious point was that Kamaladdin gave no satisfactory evidence of his name's having been formerly Mahomed Kamal. He said he had received a sanad when his name was changed, but he left it behind him in Hughli and did not produce it in Court. He produced a letter† which he said Nanda Kumar had written him, and in which he was addressed as Mahomed Kamal, but there is nothing in the report to show that this letter was proved to be Nanda Kumar's, Mr. Farrer at first, according to the report, admitted that Nanda Kumar had got a letter from Kamal, but he afterwards retracted this admission, and moreover, when he was examined before the House of Commons, he stated that the report was incorrect here, and that he never admitted the letter. Such at least is my note taken in 1876-7 of what he said. I have not been able to verify it. According to Kamaladdin he got the title of Khan, etc., when the King of Delhi and Colonel Coote were at Patna, and consequently in 1761. He ought, therefore, to have been known by the name of Kamaladdin Khan from 1761. Kamal

* In fairness to Kamaladdin, I should state that Colonel Fullarton said in his speech, that it was not uncommon in India for a person to send his seal to a confidential friend, to be affixed to a deed.

† The letter was dated 2nd Rabi al Akhir 4th Jals (10th October 1763). I do not know where Sir J. S. got authority for saying that Shah Alam succeeded in January 1760. (I, 114, note). His father was murdered on 8th Rabi as Sani 1173 (29th November 1759) but apparently the reign was reckoned as beginning on 1st Jamada al Awal following (December 21st, 1759.) Sir J. S. betrays singular ignorance for an ex-Member of Council by his remark that, as Shah Alam succeeded in January 1760, the fourth year of the reign would *therefore* begin in January 1763. He evidently does not know that the Mahomedan year is shorter than the Christian by 11 days. The fourth year of the Jals began on Jamadi-al Awal 1176 (19th November 1762.)

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got over this difficulty by saying that he could not assume the title till it was confirmed by the Nawab, and that this did not occur till the time of Najam-ad-Daula. But even in that case he must have taken the title before the date of the jewels-bond, for he says that the confirmation took place when Nanda Kumar was Naib Diwan, and ten or fifteen days before Mahomed Reza was appointed. It would appear, therefore, that his name was changed in February or March 1765, and that Nanda Kumar must have been aware of the fact. Is it likely that Nanda Kumar would use in August 1765 a seal which he knew had become obsolete? Of course the improbability is increased if we suppose that the deed was not forged till 1770.

A note in the report of Kamaladdin's evidence says "he produced a paper sealed with the same seal, to prove he had the seal. The jury compared it with the impression on the bond, and think them the same; each of the impressions showed a small flaw which was in the original seal." I suppose that this note is Sir J. Stephen's authority for remarking, "it seems probable that Commaul's seal was in fact used in sealing the bond, for Commaul produced a paper sealed by himself at an earlier period with the same seal. The impression on that paper had a flaw in it, which he said existed in the seal itself." I, however, find no evidence in the report that the paper produced was of earlier date, nor does Kamal say anywhere that the flaw existed in the original seal.

Sir J. Stephen admits that Kamaladdin was a very poor creature, and I have in a previous article shown how little he was to be believed, and how he was connected with Hastings' banyan. His story about his seal in this case wears a suspicious resemblance to his evidence about his seal in the conspiracy case. His servant, Husein Ali, gave evidence in that case also, and must, I think, have been disbelieved, for the accused were acquitted on the matter of the *arsi*. Kamaladdin gave evidence of an alleged confession by Nanda Kumar, always a very suspicious story in an Indian case. Two witnesses, Khwaja Petruse and Munshi Sadaraddin were called to corroborate him by showing that he had told them what Nanda Kumar had said. Sir J. Stephen considers that their evidence corroborates Kamal's, though he admits that such evidence would probably not be admitted now-a-days. He says, "the accounts given by Khwaja Petruse* and Sadaraddin, of what Kamaladdin said to them, are more complete than his evidence at the trial. The account given by Kamaladdin in his evidence supplies

* Petruse is softened into Bedross, in Hindustani, apparently.

no reason why Nanda Kumar should make a confession to him. The accounts given by Khwaja Petruse, and Sadaraddin explain this. Kamaladdin wanted Nanda Kumar's security, and Nanda Kumar wanted Kamaladdin's evidence." And then he goes on to speak of a suit in the Mayor's Court, though, in fact, there never was one there. Sir J. Stephen omits to notice that the evidence of the two witnesses is more complete than Kamal's, only because it is inconsistent with it. Kamal's story is that he heard from Mohan Prasad that Nanda Kumar had affixed his seal to a bond and that he went and asked Nanda Kumar about it, who thereon confessed that he had done so. This was two or three months before Kamal got his farm, and so must have occurred in March or April 1772. There was no quarrel then and Kamal afterwards went and asked Nanda Kumar to be his security—surely a very strange thing to do, if he knew that Nanda Kumar had been forging his name. Neither did Kamal go at once and tell his friends, Petruse and Sadaraddin about the forgery, as, would have been natural for him to do. He did not tell them anything about the matter till the question about the security arose. Sadaraddin fixes the date of the conversation, for he tells us it was in Asarh 1179 (June-July, 1772) and Kamal tells that he was going to complain about the time when Nanda Kumar was confined by Mr. Palk, and that Sadaraddin dissuaded him because of Guru Das' appointment. Now this we know was not made till July. There is also the remarkable statement in Sadaraddin's evidence that four or five days after Kamal had told him about the forgery, he came and told him that he had by intreaty succeeded in inducing Nanda Kumar to be his security. It is, I submit, incredible, that Kamal would ask Nanda Kumar to be his security after he had found out that he had forged his name, and he himself had refused to be a party to the fraud. I have elsewhere pointed out the improbability that Kamal would have gone in 1775 to borrow money from Nanda Kumar if he knew that he had forged his name, or that Mohan Prasad would have failed to cite Kamaladdin as a witness in the civil suit, if the seal to the bond was his.

There is also the extraordinary passage in Kamal's evidence about his having seen the bond with Nanda Kumar (937,) a thing which he could not have done later than January 1770.

Khwaja Petruse was an old ally of Hastings, and according to M. Raymond, lent him money in 1764, and so enabled him to go home. His brother was Mir Qasim's general, and * was killed, it is supposed, because Mir Qasim suspected him

* (See Bolts 3, App. C, 300, note.)

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of being in correspondence with Petruse. According to M. Raymond, this was so far true that Petruse had written to his brother Gregory at the request of Vansittart and Hastings, and implored him to come over to the English camp. Not long after the trial Hastings wrote that he would not deny the connection which formerly subsisted between Qasim Ali and himself, adding that it was as well-known to the world, as the little advantage he made of it. Only a month after Nanda Kumar was hanged, Hastings gave a remarkable proof of his connection with Mir Qasim by bringing forward, on 7th September 1775 Karim Ula, a vakil of Mir Qasim, as a claimant on behalf of his master for a large sum of money from Ballaki Das. On this occasion Colonel Monson stated that Khwaja Petruse had been looked upon as a suspected person during the war with Mir Qasim, and had been confined as such at the representation of Nanda Kumar. This of course would make Khwaja Petruse an enemy of Nanda Kumar.

Sadaraddin was the munshi of Mr. Graham an old enemy of Nanda Kumar, and one of those who had in 1772 protested against Guru Das' appointment. In the conspiracy case Sadaraddin deposed that he was eight years with Mr. Graham and that when the latter went away, he recommended him to Mr. Barwell. In answer to the question if he was in any employment, he said, "I have no settled wages, but I stay about Mr. Barwell's." From some papers in the Foreign Office it appears that Sadaraddin had, at one time, been in the service of Nanda Kumar, and had been recommended to Holwell by him. When an inquiry was made in 1761 into certain alleged forgeries by Nanda Kumar, it was supposed that Sadaraddin had written them. A munshi named Selimula told Vansittart that the letters which were found on the Qasid, Ram Ratan, and which purported to come from Ram Charan, appeared to be in the handwriting of Sadaraddin, and Hastings, in a letter of 26th November, (1764?) speaks of Sadaraddin as being an accomplice of Nanda Kumar. No doubt this is what is referred to in the so-called "life of Nanda Kumar," where it is said (II, 284,) that Munshi Sadaraddin was grievously harassed, though it is wrongly implied that the harassment came from Nanda Kumar. Sadaraddin's intimacy with Kamaladdin, Ganga Govind Singh, and Barwell, was abundantly brought out in the course of the three trials; and so early as the 8th May, we have General Clavering asserting that Sadaraddin was a secret mover in the conspiracy against Nanda Kumar.*

* It seems not improbable that Sadaraddin was the person named Sadar-al Hak Khan, and who was afterwards appointed by Hastings supreme

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The witnesses to prove that Silavat's* signature was a forgery, were a Brahman named Sabut (?) Pathak † and Raja Naba Krishna. The Brahman said that he had been Silavat's servant, and spoke very confidently about his handwriting. It is difficult to say if he was worthy of credit. His Urdu was a little too high for Elliot, who did not, therefore, fully understand him. Perhaps this may account for what looks like contradictions in his evidence, *e. g.*, he said he left Delhi for the first time 9 years before; and in another place, that he was at the battle of Baxar which was fought in 1764. I gather from his evidence that he did not live with Silavat in Calcutta, and if he did not, he could not have had much opportunity of becoming acquainted with his handwriting. He said: "Silavat came to Calcutta and I went home." This sentence immediately follows the mention of the battle of Buxar, and seems to mean that Silavat went to Calcutta thereafter, and that Sabut went back to Delhi. It may be noted that this witness' father contradicted himself so grossly that the Court refused to allow him to be recalled. Naba Krishna was by no means

magistrate at Murshidabad in supersession of Mahomed Raza Khan. He may have changed his name, as his friend Kamaladdin says he did, on getting an appointment: the Sar speaks of him as getting a title when he was appointed. It also describes the appointment as being very much above his abilities, and says it was given on account of Sadar al Hak's attaching himself to Hastings, and being an assiduous worshipper at the altar of his power. Another thing which makes the identification not unlikely is, that Sadaraddin and Sadar-al-Hak had both been darogahs, or judges of Adalats. Sadar-al Hak was a very old man when he got his appointment, and this again agrees with the account of Sadaraddin, who must have been an old man, as he was Holwell's munshi before the battle of Plassy. If there had been a Sadar al-Hak Khan who supported Hastings, and who was distinct from Sadaraddin, we should surely have heard of him in some of the trials. Perhaps some native gentleman who reads this may be able to clear up the matter. Sadar al-Hak was a native of Gujrat, and is said to have been once employed at Bhagulpore.

When Maclean was negotiating in the East India House, he wrote to Hastings that one proposition of the compromise was, that some mark of favour should be conferred on the black servants who had been dismissed for attachment to him, and that among them Rajballabh, Kamaladdin, Dalil Rai, and Ganga Govind Singh were specified by name. Truly a shining array of satellites to attend our Eastern Jupiter. He also said that a proposition was made to reinstate Playdell who had been dismissed for a similar cause. This is the man who, according to Impey, was dismissed for signing an address in his favour. Playdell presided at the trial of Radha Charan Mitra in 1765. He was afterwards dismissed by the Court of Directors, so that he was twice turned out. Impey seems to have conferred an appointment on him, for he is described in the Bengal Obituary as a Master in Chancery.

* Silavat (of an amiable disposition.)

† He said, however, that he was with him when he died. Probably it was to this witness, or his father, that Ballaki left Rs. 100 to under the name of Pathakiji.

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so positive as Sabut. The Chief Justice laid stress in his charge on the fact that this witness at once pointed out Silavat's handwriting; but to this it may be rejoined that the papers had already been marked *Exhibit G*, so that the witness might easily guess which paper he had to identify. He was asked if he could swear that the handwriting on the bond was not Silavat's, and answered "Silavat has wrote several letters to me and Lord Clive, and has wrote several things before me; this is not the kind of writing I have seen him write; but God knows whether it is his handwriting or not."

Naba Krishna was an old enemy of Nanda Kumar, and according to Bolts, his character was very bad. He was also intimately connected with Hastings whom he had known ever since 1750, when he first came out to India. He was then Hastings' Persian munshi, and this introduction was the foundation of Naba Krishna's fortunes. He was a banyan (perhaps the head of his class, for he had been banyan to Lord Clive,) and according to Hastings, banyans were devils.* (Gleig, I, 269). In 1778, Hastings rewarded Naba Krishna for his services (?) by giving him the unique position of a Calcutta taluqdar, and two years later borrowed three lakhs of rupees from him.†

* Naba Krishna was fond of matrimony, for he married seven wives in succession.

† Hastings also gave Naba Krishna charge of the estate and person of the Bardwan Rajah in 1780. (in revenue language made him *Sezawal*). Naba Krishna filed a bill in Chancery on 27th June 1792, for the recovery of the three lakhs lent to Hastings; these were sikkas, and at the rate of the claim amounted to £37,500. The bill stated that the money was lent in 1780. The *Master of the Rolls* dismissed it without going into the question of whether the money had been lent or not, and though the defence admitted some parts of plaintiff's statement of claim to be true. The ground was that the nature of the agreement between the parties was not proved, and the judgment called forth from Naba Krishna's solicitor the comment, that his Honour had laboured very hard to avoid going into the merits. The date of the decree was 13th August 1804; long before which Hastings had admitted before the House of Commons that he had borrowed the money. His words there were—"In the year 1783, when I was actually in want of a sum of money for my private expenses, owing to the Company's not having at that time sufficient cash in their treasury to pay my salary, I borrowed three lakhs of rupees of Rajah Naba Krishna, an inhabitant of Calcutta, whom I desired to call upon me with a bond properly filled up; he did so, but at the time I was going to execute it, he *entreated* I would rather accept the money than execute the bond. I neither accepted the offer nor refused it, and my determination upon it remained suspended between the alternative of keeping the money as a loan to be repaid, and of taking it and applying it, as I had done other sums, to the Company's use. And there the matter rested till I undertook my journey to Lucknow, when I determined to accept the money to the Company's use."

In February 1805, Hastings wrote to his friend D'Oyley about the satisfaction which the dismissal of Naba Krishna's bill had given him, and mentioned that the Chancellor had been one of his advocates during

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The above was all the direct evidence of the forgery, and I submit that, even if believed, it was insufficient. Granting that Kamaladdin was Mahomed Kamal, and that Silavat's signature was forged, still it was not proved that the bond was forged. It is not uncommon in India for false attestations to be made to genuine documents, and Nanda Kumar might have affixed Kamal's seal and Silavat's signature to a genuine bond of Ballaki Das. There was no count charging him with forging the signatures. I have elsewhere (*C. R.*, Jan. 1886) discussed the evidence of Mohan Prasad and Kista Jiban, and I have also there referred to the other documents in the case. It would seem that the evidence for the prosecution did not occupy the Court more than two days, for we find witnesses for the defence being examined on Sunday the 11th. Indeed, the whole of the prosecution might have been got through in one day by a Court independent of interpreters. At the close of the case for the prosecution, Mr. Farrer submitted that there was no evidence of the forgery of the bond, but he was overruled by the Court. We are not told what his grounds were, but it seems to me very likely that he took the point that, at most, it was only the attestations and not the bond itself which were proved to be forged. Sir J. Stephen says that no notice of the difference between the forgery of the deed and the forgery of the attestations seems to have been taken by the Counsel for the prisoner, but surely his argument that there was no proof of the forgery of the bond meant this, for he could not have denied that there was evidence of the forgery of the attestations.

Before calling his witnesses Mr. Farrer shortly stated his

the process, and so had relinquished the decision to the Master of the Rolls. Larkins, the Accountant General, was examined at great length about Naba Krishna's loan, and gave very evasive answers. He said that the transaction was entered in Mr. Hastings' private books as a loan, and that he had heard Mr. Hastings say that Naba Krishna had given up the bond to him. He says (answer 2766) "Mr. Hastings borrowed money very soon after he arrived in Bengal, and continued in the habit of doing so till he left Bengal." Question: "Do you recollect from whom he borrowed these sums of money?" Answer: "From a variety of people. Mr. Hastings was very indifferent as to the persons from whom he borrowed it."

Maharajah Naba Krishna's life has been written by Babu Bepin Behari Mitra. It appears from this work that Naba Krishna and Hastings were born in the same year and became acquainted in 1750. In 1753, Naba Krishna accompanied Hastings to Qasim Bazar. From the same work we learn the traditional origin of Hastings' affection for Kanta Babu, *viz.*, that the latter sheltered him in his house at Qasim Bazar for some days, before he made his escape to Falta. Kanta's full name was Krishna Kanta Nandi, and the illustrious Maharani Sarnamai is the widow of his great grandson.

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defence. He said he would call witnesses who were present when Ballaki executed the bond; that two witnesses to the bond, now dead, were living when the transaction came to the knowledge of Mohan Prasad; that he would produce letters in Ballaki Das' handwriting, admitting the bond, and the circumstances of the jewels, and an account signed by Mohan Prasad and Padma Mohan Das, in the presence of Ganga Vishnu, in which the sum contained in the bond is included, as also a paper in the handwriting of Ballaki Das, in which the particulars of the transaction are stated; and that entries were made of the same in the books that were lost and letters of correspondence between Ballaki Das and Maharaja Nanda Kumar, in which the transaction was mentioned. The two witnesses here referred to were, no doubt, Madhab Rai and Mahomed Kamal, the first of whom appears to have died in January 1773 and the other in 1770.

The account mentioned is exhibit M, of which I have elsewhere said so much (*C. R.*, Jan., 1886.) The letters of Ballaki were produced, but not allowed to be given in evidence, on account of their not being sealed or signed by Ballaki.

The first witness was Taj Rai, a Khatii by caste, and a native of Chinsura. He deposed that Madhab Rai was his elder brother, and proved a letter written by himself, and sealed with his brother's seal. He said that his brother and he were the sons of Saheb Rai, and the grandsons of Bangu Lal, that his brother was born at Bareai Bele (?) Adam-pur, near Dhanekhali, and that his brother died there about two and a half years ago. The next two witnesses examined were Hazari Mal and Kashi Nath. We are not told who called them but it appears likely that they were called by the Court. As I have pointed out in a previous article this was a practice of the Court throughout the trial. My reasons for thinking that these two witnesses were called by the Court are, first:—That Taj Rai's evidence was interrupted for their examination. 2nd.—That I do not think that the defence would call witnesses who did not support their case. 3rd.—Hazari Mal and Kashi Nath were connected with the prosecution rather than with the defence. Hazari was one of the partners in the Bank which Hastings had created, and Kashi Nath was, or had been, a banyan, he having been banyan to Mr. Russell (*Bolts 3*, App F, 529.) He was afterwards plaintiff in the famous Kasijora case. 4th.—Hazari Mal * signed the

* Hazari Mal was the wife's brother and servant of Amichand and one of the executors of his will. He had some connection with Mohan Prasad, for in 1793 a Mr. Geo. Williamson, Vendue-Master to the Company, deposed that Hazari Mal came to him, hearing he was about to dismiss his banyan and desired that Williamson would employ him. "He introduced

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address to the Chief Justice which a witness for the defence was hardly likely to do. 5th.—In his charge Impey does not speak of Hazari Mal and Kashi Nath as witnesses for the defence. However, even if Hazari Mal were a witness for the defence, he cannot be said to have contradicted Taj Rai. The latter said that his brother had been known to Hazari Mal and Hazari Mal admitted that he knew a Madhab Rai, but said that he would be now about sixty, whereas Taj Rai said that he would be now thirty-six and a half. No stress, however, can be laid on native statements about age. Hazari was asked if he was sure that Madhab was over twenty-six, and answered: "He was certainly more than twenty-six; I before said he was fifty years, I cannot tell to a year." He had only seen him once or twice and his recollection of him was evidently very imperfect. He knew nothing about his relations. Kashi Nath knew a Madhab Rai, but his Madhab Rai was quite distinct from Taj Rai's brother. The Madhab Rai he knew was the son of Bangu Lal, and belonged to Bardwan.

He did not even know the witness Taj Rai. When Taj Rai was confronted with him, he said that there was another Bangu Lal, who lived at Hugli, and was in service at Mankur. This quite agreed with Taj Rai's description of his grandfather, Bangu Lal, who, he said, lived at Satgaon and was farmer of Mankur. Taj Rai was fully corroborated by Rup Narain Chaudhari; he was a very competent witness, for he was peshkar to the Rani of Bardwan, and was chosen by the majority on 30th December 1774 to be joint-guardian with her of her son. Hastings referred to him in his remarks of 13th March as one of his enemies. Rup Narain deposed that Taj Rai and Madhab Rai were brothers, that Madhab wrote him a letter in Bhadra 1179, and that he died in Magh 1179, that is, January-February 1773. Sir J. Stephen says that Taj Rai said in cross-examination that he had his brother's seal, and could produce it, but that he does not appear to have been asked to produce it, and that this, as far as it goes, indicates that it did not correspond with the seal on the bond. This is not fairly stated. A letter written by Taj Rai, for his brother, and sealed with his brother's seal, was produced in Court and marked *Exhibit I*. It was addressed to Rup Narain Chaudhri, and was apparently the letter of Bhadra 1179, deposed to by Rup Narain. If this impression had not agreed with that on the bond, we should certainly have heard of it. It was probably this impression which was identified by the witness Chaitanya Nath (991).

Dial Chand (apparently the adopted son of Amichand) and Mohan Prasad, saying that they would be the ostensible persons, but that he himself would transact my business. Mohan Prasad was a merchant here." *Montioux: Precedents, &c., on the Hindu Will*, p. 27.

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This witness also proved the existence of Madhab Rai (988). Sir J. Stephen has taken no notice of this fact, or of the fact of his recognising the impression of Madhab Rai's seal.

Four witnesses deposed to the execution of the bond, Jai Deb Chaube, Chaitanya Nath, Lala Doman Singh and Yar Mahomed. They were cross-examined with great severity, but, I do not see that they were broken down in any way. Sir J. Stephen says that there were some inconsistencies in their evidence. "For instance, Jai Deb Chaube said that there was no particular conversation at the sealing of the deed, and that the inkstand used was before Ballaki Das, when he and the others came into the room. Lala Doman Singh said that Ballaki Das told Silavat that he had settled with Nanda Kumar about the jewels, that Nanda Kumar was his patron, and it would not be proper to have a difference with him, and, that the inkstand was brought in by the khidmatgar."

This passage shows with how little care Sir J. Stephen has read the evidence. It is quite true that Doman Singh spoke to a conversation about the jewels, and that he said that the inkstand was brought in by a khidmatgar; and it is also true that Jai Deb said there was no particular conversation, etc., but Sir J. Stephen, to use a phrase of his own, (154, note) has "omitted to observe the explanation." This is simply that the conversation and the bringing in of the inkstand occurred before Jai Deb arrived at Ballaki's house. The story told by the three witnesses, Jai Deb, Chaitanya Nath and Yar Mahomed is, that the giving of the bond was settled by Ballaki at Nanda Kumar's house, and then Ballaki went home in his palki to have it written. The three witnesses and Mahomed Kamal followed him, but as they walked and did not leave till a little later (1011) they arrived some time after Ballaki. Meanwhile, Lala Doman Singh,* who was in Ballaki's house before the latter arrived, heard the conversation between Ballaki and Silavat, and saw the inkstand brought in. He distinctly says in his evidence that these things occurred before Jai Deb, and the others came in, (997.) Nor is Sir J. Stephen correct in his subsequent remark, that there was an extraordi-

* Sir J. S. says that all the four witnesses to the bond were dependents of Nanda Kumar. This is not strictly correct, for Lala Doman Singh was never in Nanda Kumar's service or dependent on him. He was for several years in the service of Rajah Dhiraj Narain, younger brother of the unfortunate Rajah Ram Narain and came to Calcutta on his business and that of his relative, Rajah Basant (?) Rai. In one place he says he is in service with Radha Charan, but subsequently seems to say that he is servant to Rajah Basant Rai. He appears to have been also in Hastings' service for he accompanied him to Benares (in 1773?). Radha Charan, though the son-in-law of Nanda Kumar had an appointment of his own that of *vakil* to the Nawab.

nary and unnatural agreement between the witnesses, and that they all gave the same evidence as to the order in which the witnesses sealed the bond, and as to Silavat alone signing.

A similar statement was made by the Chief Justice, who said that the witnesses were uniformly accurate in describing the order in which the witnesses sealed and signed. In fact, however, there are some differences in their depositions. Jai Deb and Doman Singh said that nobody used a pen except Silavat and the writer, but Chaitanya Nath said (990) that both Madhab and Mahomed Kamal wrote something over their seals. Again Jai Deb said that he did not remember whether Madhab Rai sealed after Mahomed Kamal, or Silavat signed after him, Mahomed Kamal.

Jai Deb Chaube and Yar Mahomed proved that Mahomed Kamal was dead. In connection with this there was an alleged statement of Jai Deb which the Chief Justice dwelt upon in this charge, but which I cannot believe that he ever uttered. Jai Deb was a Brahman, and yet he is represented as deposing that when he saw the body being carried out, he enquired whether it was a Brahman or a Masalman going to be buried. The witness denied afterwards that he ever said anything of the kind, and it is absurd to suppose that he would ask if it was a Brahman who was going to be *buried*. Elliot must have misunderstood him.

Lala Doman Singh was acquainted with Persian and proved Ballaki's seal on some envelopes. On this part of the case there is the following note in the report. "He (Doman Singh) proves a seal of Ballaki Das to three envelopes, which had been opened, and which the counsel for the prisoner offered in evidence, but was overruled by the Court, there being no signature from Ballaki Das to the papers enclosed, nor any proof whose handwriting they were, or that those papers were originally enclosed in the envelopes; because if they were allowed to be given in evidence, they might impose what papers they pleased on the Court by putting them into the envelopes." The jury having desired to look at the papers, the foreman observed on inspecting them that, it was an insult to their understanding, to offer those papers in evidence, as papers of the date which they purported to be of.

"(The counsel for the prisoner, speaking in a warm and improper manner to the jury.)"

Court.—"This is a manner in which the jury ought not, and shall not, be spoke to. The prisoner ought not to suffer from the intemperance of his advocate. You, gentlemen of the jury, ought not to receive any prejudice to the prisoner on that account, nor from the papers themselves, which not having been admitted in evidence, you should not have seen, whatever

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observation you have made you should forget ; it is from what is given in evidence only that you are to determine."

Jury.—"We will receive no prejudice from it. We shall consider it the same as if we had not seen it ; we will only determine by the evidence produced."

It appears from this note, and from the Chief Justice's charge that it was the seeming recency of the writing which made the jury feel themselves insulted. Now, though we are not told what the letters were, it may be presumed that they were the letters referred to in Mr. Farrer's opening address, as admissions by Ballaki of the bond, and the circumstances of the jewels. They could not, then, be older than August 1765, and might be as recent as 1769 ; and I say, unhesitatingly, that it was rash and improper in the jury to conclude dogmatically that the papers could not be ten or six years old. It is doubtful if any of them could read the papers, and it is certain that some of them could not. But even if the letters had been in English, I think it would have been foolish to feel insulted at being asked to believe that the letters had been written a few years ago. A large experience of such questions has taught me that it is most unsafe to determine from the mere look of a native document whether it is old or recent. Sir J. Stephen shirks the question of the recency of the writing but justifies the conduct of the jury by referring to the letters being unauthenticated. The question of non-authentication was not the point taken by the jury and it was a point for the Court and not for them to take. It however merits elucidation. The facts were that the letters were not signed or sealed by anybody, but that Ballaki's seal was impressed on the envelopes. This no doubt appeared strange to Impey and his brother-judges, and was one at least of the reasons why he would not allow the papers to be put in evidence. Possibly this was correct according to English law, but Farrer was also correct in complaining, (*vide* Impey's charge.) "Persian letters, sealed in the usual mode of the country (were) not allowed to be given in evidence by our law ; letters sealed in the usual mode in England would."

The following note by the translator of the *Sair Matakhirin*, (II, 394) explains the custom : "Letters are never signed in India (but the Gentoos sign). The writer only, if he be a man of importance, writes the word *baiz*, or even *iz*, in large characters ; now as the seal whereon the writer's name is engraven, is put on the outside of the letter only, together with the place, name and date ; and all that is only set down on the cover, one may judge from thence what degree of authenticity such vouchers would be allowed in a European court of justice." There is another note (I, 250) where it is said that the emperor, as well as

the *grande*es of India, sign no otherwise than by writing the word *baiz* at the bottom of the letter in a much larger character; their name, which is always the same as their seal, being stamped on the cover of the letter with printer's ink. Captain Williams was examined by the House of Commons before the impeachment, and the question was put to him (Bengal Appendix, 244,) "In what manner are Persian letters authenticated, or signed?" *Answer*—"Letters from and to equals, generally by a seal on the cover of the letter; and to inferiors on the bottom of the letter." In the same volume there is a letter from Captain Broome to Williams saying, "unless you could find the cover of the letter, it is impossible to know the writer, or the person written to, it being usual to write the name of the latter on the cover only, and to affix the seal of the former without any superscription of the writer's name, as is customary with us." In Appendix to the 11th report there is another instance in point. The Council were inquiring into the misconduct of Dalil Rai, and a petition by the vakil of Ram Krishna, Rani Bhowani's adopted son, was put in. Hastings objected that it was not authenticated, and Clavering replied, "The Persian letter delivered by Raja Ram Krishna's vakil has his seal upon the cover of it which is, I understand, the usual mark by which all letters are authenticated." To this Hastings answered: "It is not very usual for persons not in high authority to affix any signature to letters written in common course of business; but I believe this is seldom omitted on petitions." I submit that these extracts are conclusive. I do not put them forth as showing that Impey was wrong in rejecting the letters, though I think I might urge that too, but granting he was right according to English law, and that he was bound to administer that law and no other, it is clear that Nanda Kumar's case was seriously injured by the rejection of the documents.* If they had been forgeries, would not the forger have taken care to make them complete and both signed, and sealed?

It looks as if the first note of Haji Mastapha (M. Raymond) had been written with reference to Nanda Kumar's trial. The remark that the "*Gentoos sign*" does not invalidate my argument, for, though Ballaki was a Hindu, he was one much conversant with Mahomedans, and the letters were in Persian, and as such would be written in accordance with Mahomedan customs. We are not told if the envelopes bore the date of sealing, but it seems clear that they did, or else that the letters

* I submit also that when Impey was so strict about applying the English law of evidence, he should have been equally so about the English definitions of the deeds mentioned in 2 Geo. 2 and should not have hanged Nanda Kumar for forging a paper as to which he could not determine whether it was a promissory note or a bond.

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were dated, for otherwise the jury could not have spoken of their purporting to be of a certain date. Impey said in his charge: "You cast your eyes on those letters and observed on the recency of the writing. You thought them an imposition; but as they were not given in evidence, I desired you would not suffer it to make any impression on you. I have no apprehension the laws of any country would permit them to be given in evidence. They were letters inclosed in a cover sealed with the seal of Ballaki Das; but were separated from the covers which had been opened. Any writings might have been put into those covers. There was no signature to the letters. There was no attempt to prove that the direction of the covers were (sic) of the same handwriting with the letters themselves or that they were in the handwriting of Ballaki Das, or of any of his writers. If this was allowed, any evidence might be fabricated, to serve all purposes. Letters in England have the signature of the writer, and his handwriting may be proved. It is impossible these could be given in evidence." In those days* the rule of English law was, I believe, that two papers could not be compared in order to ascertain if they were written by the same person, and apparently this was the rule adopted on the trial, for otherwise the jury might have looked at the directions on the covers and have seen if they agreed with the handwriting of the letters. No doubt this absurd rule would make the task of proving the letters a difficult one, but still the Court might have called Kista Jiban to say if he knew the handwriting. As the letters were rejected before they were given in evidence we do not know what proofs of genuineness Farrer was prepared to give. It would seem from Yar Mahomed's evidence that one of the letters had been sent by Nanda Kumar to his attorney, Mr. Jarret, through the witness, Jai Deb Chaube, (1017-1018.) Nanda Kumar's mouth, of course, was closed, but Jai Deb and Jarret might have given evidence of this, and it seems very unlikely that the prisoner could not have at least attempted to prove the handwriting, etc. He could at least have called some one who was present when the letters were delivered, and who had heard them read. The fact seems to be that it was Impey's ignorance of native customs which caused the letters to be thus summarily rejected, and that this was another instance of Nanda Kumar's suffering from the ignorance of his judges. It was perhaps after this scene that Nanda Kumar sent for his counsel and told him that he was convinced that the Court were his enemies, and that therefore he proposed at once to submit to his fate and to give up defending himself any more. Sir J. Stephen is angry with me for the use I made

* Field's Law of Evidence, p. 433, quoting Taylor.

of this incident in a former article, and charges me with inverting Farrer's meaning. I cannot see that I have done so. Nanda Kumar distinctly, "very strongly, and very solemnly," asked Farrer if he did not think that his witnesses had been very differently treated by the Court to what the prosecutor's had been, and Farrer was unable to deny it. I say he was unable because he admits that he avoided giving a direct answer to the question. Now, why should he do this unless he felt that Nanda Kumar's remark was just? Or why should Farrer take upon himself the very delicate and dangerous task of expostulating with the judges (his proceeding really amounted to this) unless he felt that there was ground for Nanda Kumar's complaint. One of the judges, Sir Robert Chambers, acknowledged that there was ground for the remark, and went the length of sending a private message to Nanda Kumar. Nor do I think I was wrong in saying that Farrer stated that his witnesses had been badly treated by the judges, and that when he remonstrated, they were treated worse. His actual words are: "I declare, I think that the prisoner's witnesses fared worse afterwards than they had done before." And no doubt they did, if Mir Asad and Yar Mahomed were examined after the remonstrance. The words *fared worse* are relative, and indicate that the witnesses fared badly before, and in what way did they fare badly except in being subjected to long and severe cross-examinations by the judges? This was the bad treatment of which Nanda Kumar complained, and which Chambers regretted. The judges excused their conduct by saying to Farrer that the defence was suspicious, and that the witnesses for the defence appeared to be prepared, etc. But was not Kamal's story suspicious? Should they not have cross-examined him as to why he did not write out the *arzi* and send it sealed; why he did not produce the *sanad* for changing his name; where he was when he wrote the letter; what had become of the enclosure in Nanda Kumar's letter, etc.

I have elsewhere discussed the evidence of Mir Asad and Kista Jiban, and the only other witnesses whom I need say anything about are Manahar Mitra and Ram Nath. Manahar said that Mohan Prasad sent for him three days before the Maharaja was committed to jail, and showed him a bond in which there was mention of pearls, (the jewels-bond,) and tried to get him to say that it was in his handwriting. He showed him two tips also, and said that if he would say that they were in his handwriting, the Maharaja would be a great liar and meet with great punishment. He also said, "I do not want you to tell me for nothing; I will give you 4 or 5,000 Rupis." The witness refused to say that the documents were in his handwriting, then Mohan Prasad said, well, if you will not say it is your

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handwriting, find out a man that will say it is his handwriting ; whatever is to be given, I will give him ; I will likewise make you joyful. Mohan Prasad said, enquire for such a man ; I answered, I cannot do this ; I said he was advising me to do a very bad business, and I went from thence.

Mohan Prasad denied that he had ever shown Manahar the bond, and said that the only time he had shown him a copy of the bond was some two years ago.* Apparently he denied having seen Manahar shortly before the Raja's commitment, and at all events, he denied having had any talk with him about the bond. He denied having seen Manahar within a week before the commitment, at his house. Against this we have the evidence of Manahar, and also that of Kista Jiban, who said that he had seen Manahar come to Mohan Prasad's house, ten or twelve days before the Rajah's commitment. Manahar was contradicted by Mr. Durham about his having seen the bond with Mohan Prasad exactly three days before the commitment, but either of them might have been mistaken by a day. There is an important admission in Mohan Prasad's evidence that he showed the bond to Jagat Chand, Nanda Kumar's son-in-law, and to Khwaja Petiuse, which shows that they were concerned in the getting up of the case. Mr. Durham also said that he sent for Manahar, and showed him the bond in the presence of Mohan Pershad and Jagat Chand.

Ram Nath Das was originally a witness for the prosecution, and had been examined as such on 6th May. At the trial, however, the crown did not call him, and was examined by the defence.

There is a discrepancy in his evidence as to when he had an interview with Mohan Prasad. In one place he said it was nine or ten months before he was examined before the judges ; and in another, that it was ten or twelve days after the Rajah's commitment. Perhaps he had two interviews. Ram Nath said that he took a message from Nanda Kumar to Mohan Prasad about his giving up the prosecution, and that Mohan Prasad made the remarkable reply that he had told a great many English gentlemen of the affair and could not desist. One of his expressions was : " Think within yourself how can I desist ? " I submit that this tallies with Nanda Kumar's assertion that Mohan Prasad had frequent interviews with Hastings, and that here, at least, we have Farrer attempting to show that Mohan Pershad was not the real prosecutor. Mohan

* Showing Manahar a copy could not help Mohan Prasad in discovering who wrote the original. I am of opinion, therefore, that Manahar's evidence is true and that the original was shown to him.

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Prasad was willing to desist, apparently, but could not on account of the English gentlemen. Ram Nath also admitted that Mohan Prasad had lent him money.

A witness named Gopi Nath Das deposed that on 9th Chait, (20th March) Ram Nath told him that he had taken a bazar in farm, that Mohan Prasad had paid the expenses of his house and given him Rs. 300 to give evidence. According to Ram Nath's account, it was Gopi Nath who tried to bribe him. I have already intimated that very likely this Ram Nath was the man who accused Naba Krishna, and of whom Bolts tells us so much.

Two other witnesses, Ataram Bosu, and Nimai Das, deposed that Mohan Prasad's character was bad.

On the last day of the trial Mr. J. Stewart was called in to produce the books of the Council, but informed the Court that the Board had forbidden him to bring them. We learn from the note on this subject that the books were sent for to discredit Yar Mahomed, a witness for the defence, by showing that he had been guilty of perjury before the Council and had been censured for that. It was the counsel for the Crown who stated this, and the only question of interest in the matter is how he came to know of the occurrence. Stewart, or Stuart, was the Secretary of the Council, and a protégé of Hastings. He had come out to India apparently as his private secretary, for Hancock, writing in 1772, says he was then private secretary. He was a son of Lord Bute, and so connected with influential persons.* He was one of those who were said to have suffered for their attachment to Hastings, for the majority afterwards dismissed him, and he took part with Maclean in the intrigues at the India office. It is not improbable that Durham got his information from Stuart, if indeed he did not get it from Hastings himself. At all events, there is a curious reference to Yar Mahomed in one of Hastings' letters. Writing to Graham and Maclean, on 29th April 1775, he says: "Mr. Graham will remember Yar Mahomed." This may refer to some evidence which he had given.

It is difficult to see how Mohan Prasad, if he was unconnected with Hastings, could have heard of Yar Mahomed's having been censured by the Board. The members were bound to secrecy but this would not prevent Hastings from telling Mohan Prasad or Durham, for he, on other occasions, broken his oath on this point.

* Francis thought he had given mortal offence to Lord Bute by insufficient attention to one of his sons. Francis, whether in *propria persona* or as Junius had a great dislike to Scotchmen, and it is curious to find him (Memoirs II, 200) designating them by a peculiar phrase "children of an ancient nation," an expression which resembles that of "an ancient nation" which Junius uses in his first letter to Lord Mansfield.

THE CHARGE TO THE JURY.

The charge was delivered by Sir Elijah Impey. It was short, and unfavourable to the prisoner. The evidence was recapitulated, but it is clear, from the time taken by the Chief Justice, that he must have abridged the depositions very much. No notice was taken of *Exhibit M.*, nor of the improbability that Padma Mohan would join in a fraud on his master's family, and one which was very little, if at all, to his own advantage. Though the jury were told not to take any prejudice against the prisoner for not calling Ganga Vishnu, nothing was said of his loss by not getting his evidence or by the death of Padma Mohan. The delay in the prosecution was alluded to, but it was suggested that this might be accounted for by the papers not having been delivered out of the Mayor's Court. This was a very inadequate explanation, for Ganga Vishnu and Padam Mohan had the papers for months before they were filed in court, and Mohan Prasad's story was that he suspected forgery from the beginning. Nor was it pointed out that if Ganga Vishnu could institute a civil suit in 1772, he could equally well have instituted a criminal prosecution then. The production of the original bond was as much required for the civil suit as for the criminal trial. The jury were desired not to suffer their judgments to be biassed, or the prisoner to be in any way prejudiced by any matter whatsoever which had not been given in evidence, and almost in the same breath they were encouraged to rely on their private knowledge of the characters of Khwaja Petruse and Mohan Prasad, and to determine, in this way, if it was likely that Mohan Prasad would accuse an innocent person! The following words of the charge deserve to be quoted here. Impey said : "much depends in this prosecution on the evidence of Mohan Prasad ; you must judge how far his credit has been shaken ; most of you know him, you must determine how far he deserves credit, and how probable it is that he would, through malice, or any other corrupt motive, accuse an innocent person of a capital crime. If you think him capable of it, you should not give the least attention to his evidence." No distinct reference was here made to the evidence of Manahar Mitra and Ram Nath, though it went to show that Mohan Prasad had tried to suborn evidence, and that the prosecution was being maintained at the instance of English gentlemen. The deaths of the attesting witnesses were referred to, but this was followed by what seems to me a foolish and cruel sneer. After saying that it was a great hardship to Nanda Kumar if Mohan Prasad had it in his power to carry on an effectual prosecution before, (apparently it was only a hardship on this condition), that the trial should take place when the witnesses to the

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bond were dead ; the Chief Justice added " though, to be sure, this hardship is much diminished, as there are so many witnesses still alive who were present at the execution of it."

This remark was either ironical, in which case it was cruel, and unworthy of a judge charging a jury in a case of a capital crime, or it showed gross ignorance. A judge acquainted with Indian cases, or even with ordinary human nature, would have known that when genuine evidence is unavailable, recourse is had to perjury.

Even if the four witnesses produced by Nanda Kumar were present at the execution of the bond, the hardship to Nanda Kumar was not diminished, for it could not be expected that the jury would give as much weight to witnesses not mentioned in the deed, as to those who had subscribed it. Speaking of the writer of the bond, Impey twice called him a Moor, and animadverted on the fact that no account had been given of him. He also said that Ballaki had a writer called Bal Krishna, that there was no evidence that he wrote the bond, and that he was, the Chief Justice thought, known to one of the witnesses to the bond. According to the report this last remark is without foundation. None of the attesting witnesses spoke of knowing the writer and none of them called him a Moor, that is, a Mahomedan. Unless, therefore, there are two misprints in the report, it would seem that Impey did not know the difference between a Moor and a moharir ! The latter word is often pronounced moeri, which might account for the mistake being made by a careless man ignorant of the language. The Chief Justice then commented on the fact that Silavat had not written the bond. He said : " a witness says that Silavat was a Persian writer, as well as vakil to Ballaki Dass, and Krishna Jiban seems to confirm it. Being asked what Persian writer Ballaki had at that time, he answered, he had one named Bal Krishna, and Silavat also understood Persian. It is not said to be of his writing, and if Silavat acted in that capacity, what occasion had Ballaki Das to call for another writer." Now, according to the report, Kista Jiban did not say that Silavat understood Persian, and as he admitted that he himself was ignorant of it, his testimony to Silavat's knowledge would not have been worth much, even if he had given it. He was asked : " Had Ballaki Das any munshi ?" and answered : " He had a munshi called Balkopen (?) ; he had also a vakil called Silavat." Impey's remark that Kista Jiban's saying that Silavat understood Persian confirms the statement that he was a Persian writer, reminds us of Sir J. Stephen's idea that, because Impey could understand Persian, therefore he could read it. Neither of these learned judges seems to have been aware that the reading and writing of

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Persian are a very different thing from being able to understand it when spoken. Silavat was the vakil, and hardly likely to do munshi's work, especially if his services were also required as a witness. Besides, Sabut Pathak deposed that Silavat did not write a good hand, and in this he was to some extent confirmed by Naba Krishna, so that here we may have a good reason why he was not employed to write an important bond. Another remark of Impey's about the bond was, that all the witnesses agreed that no directions were given in the room of the writer before the people came from Maharaja Nanda Kumar's. Now, as only one witness deposed to what occurred before the people came from Nanda Kumar's the word *all* is inappropriate. No notice was taken of the inconsistency between Kamal's evidence and that of Petruse, and Sadaraddin, nor of the omission to show that Kamal had given evidence in the Civil Court. No notice was taken of the hardship to the prisoner caused by letters sealed in the usual mode of the country not being admissible in evidence, or of the rashness of the jury in pronouncing on their age. The main defects of the charge, however, seem to me to be that the Chief Justice did not point out the weakness of the prosecutor's case and that he laid the whole burden of proof on the defence. The unlikelihood of Nanda Kumar's committing forgery was but slightly referred to, and the jury were almost called upon to convict him in order to save the character of Mohan Prasad.

Three times was the attention of the jury called to this point, and each time in strong and inflammatory language. They were told that if Mohan Prasad knew of the *kararnama* the prosecution was most horrid and diabolical; that he was in that case guilty of a crime more horrid than murder; that if the defence was believed, an indelible mark of infamy would be fixed on the prosecutor, and they were asked if, from their knowledge of Mohan Prasad, it was likely that he would accuse an innocent person of a capital crime.

The evidence of Mir Asad Ali was unjustly aspersed, and advantage was taken of this to cast discredit on the whole of the evidence for the defence. First, it was assumed, without proof, and contrary to all probability, that Mir Asad's receipt was a forgery, and then this was made a handle for suggesting perjury against the other witnesses. Taj Rai was disparaged because he said that his brother was well-known to Kashi Nath Babu, whereas Kashi Nath did not know him. According to the report, however, Taj Rai did not say that his brother was well-known to Kashi Nath, but only that he had heard that his brother had gone to Bardwan with Kashi Nath, who had promised to give him employment. As Kashi Nath said that 500 or 1,000 people had gone with him, expecting employment, he might

well have forgotten about a poor umedwar, such as Madhab Rai. No doubt some of the defects in Impey's charge were due to his ignorance of the language and the country, and to his inexperience in the art of charging juries, for I suppose this was the first charge he ever delivered. One would be inclined to make allowances on this account, if he had taken more pains, but by his own admission, he only took a few minutes to recollect himself. How could he expect to deal satisfactorily with a difficult and novel case after so little preparation, and at an hour when he and every one concerned in the case should have been in their beds !

Sir J. Stephen admits that the case for the prosecution was not a strong one, and that it was little more than a *prima facie* case. Impey's fault was that he did not notice this to the jury, but that, on the contrary, he directed them to convict Nanda Kumar if they disbelieved the defence. His words were, and they were uttered almost at the closing of the charge : " The nature of the defence is such, that if it is not believed, it must prove fatal to the party, for if you do not believe it, you determine that it is supported by perjury, and that of an aggravated kind, as it attempts to fix perjury, and subornation of perjury on the prosecutor and his witnesses." Even Sir J. Stephen deserts Impey here, and says in a note that he thinks this goes too far ; to bolster up a good case by perjury is not an uncommon thing in India. The value of the newspaper panegyrics on Sir J. Stephen's book is illustrated by the fact that the *Times*' reviewer actually quotes this note of Sir J. Stephen as a *caveat* against Impey's too great leniency to the prisoner, and reckons it as one of the fourteen instances in which Sir J. Stephen has shown that Impey was extremely favourable to the accused !! I suppose the reviewer remembered that Sir J. Stephen had said that there was not a remark in the charge which he would himself have been ashamed to make, and consequently never dreamt that he would round upon Impey in this way. I believe that I am speaking within bounds when I say that, if any sessions judge were to make such a remark as that of Impey, in his charge, the High Court would order a new trial. Why Impey, should have spoken of the perjury as being of an aggravated kind, I cannot understand. I should have said it was a very mitigated form of perjury, for it was not given to convict any one, but to obtain the release of an aged Brahman from a stale and unjust charge got up from political motives, and from a sentence abhorrent to native ideas.*

* Granting, too, that Nanda Kumar's witnesses were perjurers, what evidence was there that he had suborned them, and why should he have been dealt with more severely on account of their fault ?

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Sir J. Stephen is very positive that sentence was not passed on Nanda Kumar on the 16th June, but it appears that his only reason for this is that Farrer afterwards moved for arrest of judgment. He says that to move in arrest of judgment after a man was sentenced to be hanged would be like moving in arrest of execution after he had been hanged. I admit my unfamiliarity with the technical language of English criminal law, and that I may have made a mistake here, but Sir J. Stephens' reasoning does not seem to me conclusive. Farrer was absent when the verdict was brought in, and sentence may have been passed in his absence, and yet he have been allowed afterwards to move against it, I remember a case in the Calcutta Supreme Court ; it was the famous one of Sib Krishna Bannarji, and my impression is that in it sentence of transportation was passed on one of the prisoners for subornation of perjury, and that immediately afterwards his counsel was allowed to move in arrest of judgment, the judge ordering that the sentence should not be recorded. In Nanda Kumar's case, apparently, no sentence was ever recorded, that is, no judgment was ever entered up. All that occurred was that the judges

Impey referred in his charge to the fact that neither side had thought fit to produce the proceedings in the civil suit. Sir J. Stephen quotes, (I, 168,) note, Farrer's reasons for not producing them, and says they go far to show that his client was guilty. Elsewhere, (I, 177,) he intimates that Farrer believed his client to be guilty. This seems to me inconsistent with Farrer's statement that he relied on the inapplicability of the statute, and on the merits of the case itself, for procuring his client's acquittal. We have, however, an account of the civil suit from a higher authority than Farrer's, *viz*, from the judge who heard the case, and his account was that the evidence in support of the claim was inconclusive. His, Mr. Rous's words, as given in Elliot's speech, are as follows :—

“The suit on the part of Mohan Prasad against Nuncomar, and the transaction itself, seemed, in the judgment of the court, defective in point of regularity, and the evidence in support of it inconclusive ; the cause was of an intricate nature, and depended materially on accounts carried on in neither of the three languages, understood more or less, by the Board, but in the Nagari language, in which no member of the Board was a competent judge ; and there was a darkness in the whole transaction, which after much careful inquiry, prevented him from forming any decision satisfactory to his own mind ; and therefore, he recommended that the cause should be left to arbitration.” Upon this, Elliot remarks, “these circumstances, however, formed no subject of doubt or hesitation in the mind of Sir Elijah. He declares, that no doubts upon the question did exist.” It is surely a very striking circumstance against Impey that on his impeachment, Macdonald and Arden, the solicitor and attorney generals, though they voted for him, admitted that if they had sat as judges, they would have respited the prisoner. Wraxall justly remarks that this admission was a moral condemnation. We learn from Montrieu's work on the Hindu will. (pp. 55, and 3,) that the decree passed on an award of arbitrators by the Court of Kachahri was appealable on the merits, so that, apparently, even if the arbitration proposed in Ganga Vishnu's case had taken place, litigation would not have been at an end.

signed the calendar,* and it appears from Hyde J.'s note, quoted by Mr. Belchambers, that this was not done till 24th July. The calendar contained other cases besides that of Nanda Kumar, and this partly explains why Chambers signed it, even though he objected to the hanging of him. Hyde's note is corroborated by Yeandle, the Jailor's affidavit, if any corroboration is needed, for Yeandle says, that the interval between the condemnation and the execution was about twenty days. I find, too, that the Nawab Mubarak-ad-Daula petitioned the Council by a letter dated 21st June, though not received till the 27th idem, to suspend the execution of Nanda Kumar till the pleasure of the king of England should be known, which shows that sentence had been already passed. But if Sir J. Stephen is correct, sentence was not passed before the 23rd, or 24th, June. I submit, too, that Farrer's phrase, *definitive sentences*, would seem to point to a previous sentence, and to imply that the one now passed was final.

In the interim between the verdict and the execution, Farrer did what he could for his client by moving in arrest of judgment, by filing a petition of appeal, and by trying to get the jury to recommend the prisoner to mercy. Sir J. Stephen asserts that during his interval no one showed the smallest sympathy with Nanda Kumar, and that the only petition which appears to have been presented was one by Radha Charan, his son-in-law. These are positive statements, and he is still more positive in censuring Macaulay for speaking of Impey's refusal to respite Nanda Kumar. (II, 64, note). He says: "A refusal implies a request. Lord Macaulay would have been puzzled to answer the question who asked for a respite? I believe that no one did so and it makes a great difference." No doubt Macaulay would have been puzzled to reply if he had not based his statement upon some more stable authority than his own opinion. Probably he had consulted the Bengal Appendix (no very inaccessible book) and had there found the petition for Nanda Kumar's respite presented by the Nawab of Bengal, Mubarak-ad-Daula. It was presented to the Council, and was, forwarded by Hastings and the other Councillors to Impey. The date given is 27th June 1775, but the copy of the Persian petition, which I have received through the kindness of Mr. B. L. Gupta, the judge of Murshidabad, is dated 16th Rabi-as-sani, which corresponds to 21st June 1775. Further, I am able to state, that Impey was angry with the Nawab for making the petition, and wrote to him telling him that he was wrong to write to the Council, as it had nothing to do with the Supreme Court. In

* Impey said in his speech that the calendars were the only warrants for execution in Calcutta.

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reply the Nawab wrote on 11th July, excusing himself. Sir J. Stephen is very severe on the majority of the Council for not interfering to save Nanda Kumar's life. He says that on 1st August they had it in their power to do so by simply voting, in their capacity of a majority of the Council, to send to the Judges the letter which Farrer had drawn; and that if they at that time believed that Nanda Kumar was innocent and on the point of being judicially murdered, they made themselves accomplices in the murder. He also says that if the Council had written to the Judges that Nanda Kumar had charged Hastings with corruption, and that it was of the highest importance that the charges should be investigated, and that Nanda Kumar's execution would prevent this, that the Judges must have granted a reprieve. Francis had explained that the majority did not apply to the Court because the latter had told them that it was unconstitutional to address them by letter. Sir J. Stephen is very wroth with this explanation, and says: "Francis must either have overlooked or wilfully refused to notice the broad distinction between writing a letter to the Court on a matter judicially before, it and writing on a matter in which they had to exercise an executive discretion. The latter is as natural and proper as the former is unconstitutional. The Home Secretary in England constantly corresponds with individual Judges, as to applications for pardons. He would never dream of writing to a Judge as to the exercise of his judicial duties."

It appears to me that Sir J. Stephen has here overlooked a broad distinction. The Home Secretary represents the sovereign, and so can correspond with Judges about pardons, which fall within the sovereign's prerogative. But Impey and his brethren were far from admitting that the Council represented the sovereign. In their eyes, the Councillors were only servants of the East India Company* and it was the Judges who represented the king. The majority did try to interfere in an executive matter, by asking the Chief Justice to mitigate the rigour of Nanda Kumar's imprisonment. With this view they sent Nanda Kumar's petition to him. Impey requested them to instruct Nanda Kumar to present his petitions in future direct to the Judges. In reply the Councillors said: "We cannot refuse to receive any petitions presented to us and if they relate to the administration of justice we conceive we are bound by our duty to communicate them to the Judges." On 30th May Impey rejoined as follows:—"As to communicating petitions to the Judges I apprehend that no Board, even of the highest authority in England, could refer any matter either to a Court of Jus-

* In a letter of 2nd August 1775 to the Court of Directors, the Judges speak of the members of council as "your servants."

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tice or to any Judge thereof, otherwise than by suit lawfully instituted." Impey's view was affirmed by all the Judges on 23rd June in connection with Radha Charan's case.

Sir James Stephen (as has been already said) remarks that the only petition shown to have been presented was one by Nanda Kumar's son-in-law, Radha Charan. This is misleading. It is true that the petition was presented by Radha Charan but it was not his own but of that the Nawab of Bengal, as whose vakil he presented it. The petition was received on 27th June and was as follows :—

"If several transactions of former times are to be tried by the Act lately transmitted from the King of Great Britain, it will occasion trouble and ruin to the inhabitants of this country. The affair of Maharaja Nanda Kumar, which is now before the Court, is really hard and rigorous. For should the crime of which he is accused, be proved against him in the said Court, the custom of this country does not make it deserving of capital punishment ; nor, as I am informed, was life formerly forfeited for it in your own country ; this has only been common for a few years past. The Maharaja has transacted affairs of the greatest importance. When Mir Qasim Ali had taken the resolution to ruin and expel the English the Maharaja in particular exerted himself to the utmost with my father in supplying them with grain and money for the use of their troops.

The services of the Maharaja on this occasion are well known to the King of Hindustan ; certainly he never could have committed so contemptible a crime ; people employed in important affairs will undoubtedly have many enemies, and these who have been active in the affair of Nanda Kumar have long been his declared foes. Taking, therefore, into consideration, the welfare of the people, I beg in particular, with regard to this affair, that the Raja's execution may be suspended till the pleasure of his Majesty the King of England shall be known." Resolved that a copy of this translation be transmitted with the following letter to the Chief Justice and Judges of the Supreme Court of Judicature.

"*Gentlemen.*—We have this instant received a letter from His Excellency the Nawab Mubarak-ad-daula Mutaman Al Mulk Firoz Jung Bahadur, through the hands of Rai Radha Charan, his public vakil, containing an intercession on behalf of Maharaja Nanda Kumar ; we conceive it to be regular on our part to transmit it to you and of which we shall inform the Nawab." This letter was signed by Hastings as well as by the rest of the Council, though of course this does not show that he approved of it. The Judges never answered this letter, so far as I know, and the following remarks show conclusively, I think, that they did not. In the course of the inquiry about Rai Radha Charan,

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Impey said, "I cannot help observing a small circumstance. I have, since the claim made by the Council for Rai Radha Charan, received two letters from the Nawab directed to myself, and one original letter from him, directed to the Governor-General and Council, inclosed in a letter from them to the Court. Though improper, we took no notice of that letter. I had before received letters from him; they had the usual *alkab*, the same that is given to the first in Council. The letters to me since the dispute, to give him a higher air of consequence, make the *alkab* much inferior. The same artifice is made use of in that sent to the Governor-General and Council. The *alkab* sent to the Governor-General and Council is infinitely inferior to that formerly sent to the first in Council and myself. They best know whether at any other period they would have admitted a letter from him with that *alkab*. They best know whether they in future are to be treated with the same inferiority. This observation will not be so striking to those who are not conversant with the customs and ideas of the natives, and do not know how tenacious they are of that address"*

I think it cannot be doubted that the following letter from the Nawab refers to what Impey had written to him about his application in Nanda Kumar's behalf. The original was procured for me from the Nawab's palace, by the kindness of Mr. Gupta, and I am indebted to the Hon'ble Syed Amir Hossein for a translation of it :—

Copy of a letter of Nawab Mubarakoodowiah, Bahadur, Nawab Nazim of Bengal, Behar and Orissa, to Sir Elijah Impey, Chief Justice.
Dated the 6th Jamadi-al awal 17 Jals.

Your letter in reply to mine has been received and has pleased me much. It was stated therein that what was written about the trial of Maharajah

* Sir J. Stephen's statement that nobody sympathised with Nanda Kumar is also contradicted by the evidence of Mr Farrer, who deposed that the execution caused general terror and dismay. This too was proved by the evidence of Major Rennel, Captain Cowe Mr. Mills, Baber, Goring and Captain Price. Farrer said in his evidence that a petition was prepared in the name of Sambhu Nath Rai, Nanda Kumar's brother, and that this was the first time he ever heard that Nanda Kumar had a brother. From a *Kursinama* prepared for me in Murshidabad I find that Sambhu Nath was the cousin of Nanda Kumar, being the son of Raghu Nath, the half brother of Padma Labh the father of Nanda Kumar. It is worth noting that when Hastings enumerated in his *Benares* narrative the crimes of Chait Singh, he dwelt on the fact that he had in June 1777 sent a man named Sambhu Nath with an express commission to Clavering, but that he got no further than Murshidabad. Thornton justly refers to this as an instance of the implacable and revengeful nature of Hastings. It is probable and a correspondent assures me that this Sambhu Nath was the cousin of Nanda Kumar. Here then we have another instance of the *aeternum servans sub-pectore vulnus*. That Chait Singh should send an ambassador to Clavering was very bad, but that he should employ a relative of the detested Nanda Kumar in the work was as vinegar upon nitre.

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Nanda Kumar has caused much surprise, for the officers of the Court of Justice do not hear the advice and accept the counsel of any other persons in such matters ; and that there is no truth in what I have heard that the Members of the Council have been written to with regard to this matter, because there is very great difference between the business of the Council and of the Court of Justice, and there is no connection between the two. Let the past be past. It would not be advisable to write about this matter again, for its repetition will cause displeasure to the officers of the Court of Justice. In all other matters whatever has to be written should be written to the officer of the Court of Justice. It has been stated that the language of the letter which has been written, and the complimentary terms used in it, were, in comparison to those of the former letters, entirely unsuitable.

Sir, what you have been pleased to write has been carefully perused. It ought to be mentioned, however, that as the said Maharajah during the lifetime of my deceased father served the English Company faithfully, and was never lacking in his efforts to promote their interests, peace, you were put to the trouble of considering a representation in his favour for I and all the people of this country look up to you gentlemen for justice, and it is to you gentlemen to whom every person comes to submit an appeal. However, if this has caused displeasure you will be pleased to forgive it. With regard to epistolary language and complimentary terms this well-wisher will always be pleased to exalt your dignity.

Nanda Kumar having been hanged, the next thing to be done was to justify the act in England. For this purpose Alexander Elliot, who had acted as interpreter during the trial was forthwith sent home entrusted with the publication of the trial. Elliot was secretary to the Khalsa, and Hastings' permission was necessary for his departure. Hastings gave it and took part in sending him, another link in the chain of evidence connecting him with Nanda Kumar's case. (Hastings' letter to Maclean of 14th July 1776 : Gleig II, 48.)

"I wish," he writes, "I had early received and followed the advice of Sir Gilbert Elliot. I am afraid I have too often furnished the majority with arms against myself by observing a contrary rule. No part of your letter has given me so much pleasure as the information of his disposition towards me. It will have prepared him to receive with greater approbation the event of his son's return. I shall never forgive myself for having consented to it, if he is displeased with it ; and yet I am sure that it was placing my friend Elliot in a point of view so conspicuous, that perhaps another opportunity might not have occurred in the course of his life to make his abilities equally known to the public, nor equally useful. But I will not entertain a doubt on the subject. It was a laudable measure ; † it will be received as such, and it will prove successful in every way." In a letter of 25th June, 1776 (Gleig, II, 68) Maclean writes that Elliot has been ill, and that he really believes chagrin at the little service he was able to do. Hastings with Lord North had had some share in his illness. He goes

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on, "Sir Elijah Impey will expect a letter from me. Be good enough to assure him that I watch over his cause with the same unremitting *zeal* and *care* as over yours. Intentions were very hostile to him at first. He is, I am pretty certain, in no danger. *Magna est lex et prevalebit.*"*

In connection with this the following letter of Impey should be read. It was written on 8th August 1775, and addressed, I believe, to Elliot. I found it among the Hastings' papers in the British Museum.

"I am apprehensive that the majority of the Council will endeavour to assign undue motives for the late execution."† There are two points I am much solicitous about; one that I may be defended from any imputation laid on me for acting from partiality or factiously. I would by no means have my friendship to Mr. Hastings be denied or extenuated. It was founded on friendship for a school-fellow, and has been confirmed by opinion of the man. The other, that the disputes which have been between the Council and the Court may be rightly understood, I wish my friends to be furnished with extracts of all consultations in which we are named or alluded to, from the 4th May till the present time, and that the letter which I sent back may not be forgot.‡ I shall think it unjust if, acting as I have done from conscientious motives, I should be recalled from a station to which I have sacrificed no very bad views in England. We miss you already." It was probably in answer to this letter that Elliot wrote from Khejiri a letter which Sir Richard Sutton read to the House of Commons.

By the kindness of Sir Richard Garth, I have been able to examine the bundle of papers in the High Court, which are known as Nanda Kumar's case, and which have been described

* Apparently Maclean could be sarcastic when he chose. The substitution of *lex* for *veritas* is significant.

† These words and the fact that the Judges employed Elliot to print the trial are sufficient to disprove Sir J. Stephen's audacious assertion (I, 230) that no one at the time showed the very least disapproval of the conduct of the Judges. Impey knew better than this. He said in his speech that the accusation was made in despatches and letters sent to England in 1775, and that the Judges heard of the calumny a year afterwards. On 20th January 1776, we find him writing a long letter of defence with reference to these despatches, he having received secret copies of the minutes of the Council from his friend Hastings. Impey bound himself by an oath not to divulge the minutes in Calcutta. Strange that Hastings when breaking his own oath should take one from another man. The phrase "legal murder" was attributed to Lord Mansfield in a letter written 1st December 1780, from Calcutta.

‡ This refers to a letter of 16th June, addressed by the Board to Impey, and returned by him on the ground that it should have been addressed to all the Judges.

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by Mr. Belchambers in his note on the trial. None of the papers is of much importance.

The recognizances to prosecute are executed by Hastings and Vansittart, and Nanda Kumar's recognizance to appear is only on their charges, which goes to corroborate the statement made by the majority that Barwell declined prosecuting. Barwell himself, as we have seen, stated that it was not his intention to have prosecuted Fowke, and that he neither asked for bail, nor was bound over. He told his counsel to prosecute, he says, but evidently his prosecution was a very languid one, for Barwell took no pains to produce evidence, but left the proof to the evidence there might be produced before the Court. There is an affidavit by two Surgeons, Clement Francis and Walter Gowdie, that Fowke was too ill to attend on 21st June, and that he would be unable to do so for some days. This does not explain why Fowke's case was not taken up at the beginning of the session which was the day fixed for the appearance of the prosecutors and the defendants in all the recognizances. It may be remembered that Hastings says in his letter of 29th April (Gleig, I, 525.) that the assizes would be held on 15th June, and his information was likely to be good, as he had been in communication with the Judges, having asked them if he could, with propriety, send for Kamaladdin and examine him. By the recognizances Hastings and Vansittart bound themselves to appear on the first day of the next sessions of *oyer* and *terminer* and there prefer an indictment or indictments. Why then were these indictments not drawn up till 19th June? It appears from one paper that the foreman of the Grand Jury was one George Abbott.

In the bundle there is a curious paper which has no connection with the conspiracy case. It is a plaint preferred by one Dionysius Manasseh, in the Mayor's Court, against Nanda Kumar, his son Guru Das, and his sons-in law, Radha Charan and Jagat Chand, for goods supplied. The plaint states that Nanda Kumar induced plaintiff to send up Rs. 1,287, worth of goods to Saiyid-abad by saying that the Nawab would buy them, etc., and that plaintiff had sent them up accordingly to Guru Das. The plaint is dated 7th December 1773, and is endorsed with the name of Driver as the attorney. The paper is interesting, as bearing out my contention that Armenians were not regarded as natives, for if Manasseh had been a native, the case could not have been brought in the Mayor's Court without the consent of the parties.

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RECAPITULATION.

In the preceding article and in that published in the *Calcutta Review* for January 1886, I have given an account of the trials of Nanda Kumar for conspiracy and forgery, and I have criticised at length the recent work of Sir J. Stephen's "Story of Nuncomar."

I set out by saying that I should endeavour to establish nine points, and I now proceed to gather up the evidence I have adduced in proof of each.

I. *That the exhibit bond—exhibit A of the trial—was not a forgery, but was the genuine deed of Ballaki Das Seth.*

The evidence on this point may be taken together with that on my seventh proposition, viz:—*That the prosecution entirely failed to prove that the bond was a forgery.*

I do not think that I need spend many words in showing that this last point is established. Sir J. Stephen admits that the case against Nanda Kumar was a weak one. He describes it as being little more than a *prima facie* case, and says that Nanda Kumar was convicted from his own want of judgment, and from the effect produced on the jury by the mass of perjury put forward in his defence. For an Indian case, this is tantamount to an admission that the prisoner should have been acquitted. It has long been a maxim with Indian tribunals that prisoners should not be convicted because they set up false defences. Thus, when a Sessions Judge had argued for a conviction from the futility of the defence, the Calcutta Nizamat Adalat observed in 1851, that "attention should always, chiefly and carefully, be directed to the goodness of the evidence for the prosecution; because if the charge be not fully and satisfactorily established, it signifies little how worthless soever the defence may be. In this country persons charged with offences, supported by good or bad proof, never trust to their innocence."

Impey was so ignorant or regardless of this fact, that he told the jury to convict if they did not believe the defence; his words were, and it is important to remember that they were uttered just at the closing of the charge—"The nature of the defence is such, that if it is not believed, it must prove fatal to the party, for if you do not believe it, you determine that it is supported by perjury, and that of an aggravated kind, as it attempts to fix perjury and subornation of perjury on the prosecutor and his witnesses" Even Sir J. Stephen admits that Impey was wrong here, and says, "I think this goes too far. To bolster up a good case by perjury is not an uncommon thing in India." Moreover, the grounds on which Sir Elijah Impey, and Sir J. Stephen after him, held that the defence was false and supported by perjury, will

not stand examination. Mir Asad Ali was, in all probability, a truthful witness, and it is certain that he was not proved to be a perjurer. He was acquitted when he was afterwards tried for perjury, and I have shown that the reasons given by Sir J. Stephen for doubting the genuineness of the receipt he produced, are altogether worthless. He produced a receipt given by Ballaki for money brought from Rohtas, and I have shown that Mir Qasim was in possession of Rohtas in September 1764, that he had his treasure there, and that Mir Asad was a man of position, and employed at Rohtas at about the date of the receipt. Besides this, why should the defence have undergone the trouble and risk of forging an impression of Ballaki's seal on a receipt, when the prosecution gave no evidence whatever that the impression on the bond was a forgery? Mohan Prasad never said that the impression on the bond was not a genuine impression, or that it did not resemble a genuine impression. Still less did he or any other witness endeavour to prove that it was unlike the impression of the genuine seal. Presumably Ballaki's seal was in the hands of his executor, and certainly he and Mohan Prasad must have had papers bearing impressions of the genuine seal. Yet they never produced them, or offered to do so. It would almost appear, too, that it was not the case for the prosecution that the impression on the bond was made from a forged seal. Their contention seems rather to have been, that the genuine seal was fraudulently applied to the bond through the connivance of Padma Mohan.

This may be inferred from Farrer's question in cross-examination to Mohan Prasad: "Tell at what time you first suspected that the seal of Ballaki Das was improperly made use of?" A little further on he asks, "Did you see upon the face of the bond anything to make you suspect it?" *Answer.*—"It was not signed by Ballaki Das, and I knew that Silavat was dead a year and a half before." There is not a word here about the impression being suspicious. By signing, Mohan Prasad did not mean sealing, for he had previously deposed, in his examination-in-chief, that Ballaki always put his sign-manual to a bond, and that he never heard of his putting his seal to obligatory papers. He added, "Sarrafs in Calcutta sign a bond, and do not fix any seal."

Thus we see clearly that Mohan Prasad impugned the bond, not because he considered the impression of the seal to be a forgery, but because it was not signed by Ballaki. It is evident, too, how hard pressed he was to give any intelligible reasons for believing the bond to be a forgery. Silavat's death in 1768 or 1769, was no reason why he should not have witnessed a bond in 1765, and as Ballaki was not a

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Calcutta merchant, the argument from trade-customs, even if it were true, was quite irrelevant. We have it also on the authority of Maharaja Naba Krishna, a chief witness for the prosecution, that in transactions between parties, one of whom knew Nagari, and the other Persian and Bengali, a seal might be sufficient. The case under consideration was such a transaction, for Ballaki was an up-countryman, and kept his accounts in Nagari, and Nanda Kumar was a Bengali, but was acquainted with Persian, and always signed in that language. In fact the prosecution was obliged to admit that a seal might be sufficient in very important transactions, for they relied upon Nanda Kumar's receipt to prove the publication of the bond, and this was authenticated only by his seal. The negative argument for the falsity of the bond which is derived from the fact that it is not mentioned in the power of attorney executed by Ballaki in 1769 is admittedly of no great weight. The power was not prepared by Ballaki, or in his presence. It was prepared in Calcutta, while he was at Chandernagore, and it was carried to him there for signature. The list of debits and credits given in the power has this saving clause appended to it: "This is wrote by guess; and, besides this, whatever may appear from my papers is true debts and credits." The list of credits is headed by the entry "the English Company at the Dacca factory," but the amount of this claim is not set down, and it may be fairly argued that this omission might be a reason for not entering the debt to Nanda Kumar, as the payment of it was conditional on the receipt of the money from the Company. It may also be fairly said that the omission to put down the amount of the Company's debt shows that Kista Jiban, who prepared the paper, was not fully cognisant of all his master's business. It is, of course, impossible for us to understand fully, a transaction which took place more than a hundred years ago, concerning which we have not all the papers, but it is possible that the amount of the bond to Nanda Kumar may be included in the Darbar expenses which the power enjoins Mohan Prasad and Padma Mohan to pay. It may even be the case that though Ballaki executed the jewels-bond, there was, in fact, no such deposit of jewels as is mentioned in it. It may be that the bond was merely the way Ballaki took of promising Nanda Kumar a *douceur* if he recovered the Company's money for him. This is a suggestion which has been made to me by a Maimansingh pleader, Babu Keshab Chandra Acharge, and it is at least a possible hypothesis.

But the strongest argument to rebut that drawn from the silence of the power of attorney is this, that the power was in the hands of Ganga Vishnu and Padma Mohan, and that notwithstanding its silence and the fact deposed to by Mohan

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Prasad, that he drew Ganga Vishnu's attention to the silence of the power of attorney, yet these two men paid Nanda Kumar his money, and no action was taken against him till some two years afterwards. Why should we suppose that the executor, Ganga Vishnu, committed so fraudulent and suicidal an act as to pay away the largest portion of his uncle's property without cause? Or why should Padma Mohan deprive himself of the ten per cent. on the Company's debt, which Ballaki left him in his will, if the bond to Nanda Kumar was not genuine? Sabut Pathak and Naba* Krishna deposed that the alleged signature of Silavat on the bond did not appear to be genuine, but the latter did not speak positively, and even if we allow that their opinion was sincere, it is entitled to little weight. Kamaladdin denied that he was a witness to the bond, but this was also denied by the defence. Kamaladdin's story that his name was formerly Mahomed Kamal, and that the seal on the bond was his, was far from being satisfactorily proved. I do not find that the letter produced by Kamaladdin, and which he said was written to him by Nanda Kumar, was proved to be Nanda Kumar's. Farrer, I believe, denied that he had ever used the words attributed to him in the report. "I admit the Maharaja had the letter;" but even if he had said so, this only meant that Nanda Kumar had a letter from Kamal, and not that he had written the letter to Mahomed Kamal, which was produced in court.

It is clear that Kamaladdin was a man of worthless character and one whom nobody could believe. Sir J. Stephen calls him a very poor creature, and I have shown that he was disbelieved by the Council in December 1774, and by the jury in the conspiracy case brought by Hastings. In Barwell's case there was a conviction, but probably this was, as Sir J. Stephen conjectures, because the jury thought that Fowke's accusation of Barwell, at the preliminary examination, corroborated Kamal's evidence as to the extortion of the *fard*. Whereas in Hastings' case, Kamal's evidence was not corroborated; there was an acquittal. Kamal's character may be judged of from his own admission that he had drawn out two false petitions. His words are, "I said to Radha Charan, do you take these two *arzis* in deposit; I don't deliver them in as complaints; was I to complain, I would complain of what is true. In order to frighten him, I have wrote what I pleased myself." Sir J. Stephen

* Sir J. Stephen remarks that Naba Krishna was not cross-examined, but it appears from the recognisances of 7th May, that neither he nor Sabut was examined at the preliminary inquiry on 6th May. Nanda Kumar's counsel may therefore have been taken by surprise. Gharib Pathak the father of Sabut gave evidence, but broke down, and then I suppose the prosecution thought of calling in the son.

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has a curious comment on this and other admissions of Kamaladdin. He says that there is a kind of simple-minded faith in these frank statements, which is not without its weight : that the state of mind in which a man considers common falsehood as fair play, but looks on perjury with horror, is more intelligible than rational, and that many of Kamal's answers give a good illustration of what the current native view at that time was, and he believes still is, as to falsehood as distinguished from perjury. Thus, then, we have an admission from Sir J. Stephen that the principal witness for the prosecution in the forgery case was a man who considered common falsehood as fair play. I do not know where he got his notion that natives make a great distinction between falsehood and perjury. This view is contrary to that of the Government of India, which abolished oaths in 1840, as being obstructions to justice, and I believe it is opposed to the experience of most persons who have held judicial office in Bengal. *

Even granting that Kamal's evidence was true, and that the alleged writing of Silavat was not genuine, it does not follow that the bond was a forgery. The attestations might have been forged to a genuine bond. What, however, is to my mind the most conclusive argument against the truth of the case for the prosecution, is the fact that it was chiefly supported by witnesses who were not cited, far less examined, in the Civil Court. If Kamal's evidence were true, can it be believed for a moment that Ganga Vishnu would not have examined him in the Civil suit? He could not have been ignorant of what Kamal could say, for his agent, Mohan Prasad, knew in 1772, that Kamal denied having witnessed the bond.

As I have already said, the strongest proof that the bond was genuine, is the fact that the executor paid it, and then remained silent for a lengthened period. I also see no reason to doubt that the bond was witnessed by Madhab Rai. The prosecution failed to show that Madhab Rai's seal was a forgery, or that such a person had never existed, and on the other hand, Taj Rai his brother and Rup Narain Chaudhari, proved that there had been such a man, and that he was dead. Four witnesses deposed to the execution of the bond, and to Mahomed Kamal's being distinct from Kamaladdin. It may be that the defence was driven by the iniquity of a stale prosecution into fabricating

* Sir J. Stephen has a great dislike to eloquence or passion. Destitute of these qualities himself, he has only contempt for those who are more richly endowed. To him the peroration of Sir Gilbert Elliot's speech savours only of mouldy wedding cake, but I think that even mouldy wedding cake (whatever its flavour) would have been better pabulum for his readers, than such Dead Sea fruit as this statement about the native view of falsehood and perjury.

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false evidence by bringing forward men who were not really present when the bond was drawn up. This is possible, and would be in accordance with Sir J. Stephen's remark about good cases being sometimes bolstered up in India by perjury. I therefore do not lay stress on the evidence of the four alleged eye-witnesses, but at the same time I must observe that there is no particular reason for distrusting them. The contradictions said by Sir J. Stephen to occur in their depositions do not exist as he would have discovered if he had read the trial more carefully. Sir J. Stephen thinks that the terms of the bond are suspicious, but this is a mistake arising out of his erroneous impression that Ballaki's money was in Company's bonds. If this had been the case, the reference to the Company's cash at Dacca might have seemed extraordinary, but in fact, there were no bonds till the money came to be paid. The money had been lent or taken at Dacca, and so the reference to Dacca was quite natural. And if, as the bond recites, the jewels were deposited with Ballaki to sell, there was nothing harsh, or unusual in Nanda Kumar's requiring him to pay their value seven years afterwards. Ballaki's house may have been plundered in 1764, but he ought to have sold the jewels long before, and have paid Nanda Kumar the proceeds. There is nothing suspicious in the fact of a deposit of jewels with Ballaki. Such transactions are common in India; *e. g.*, we know from a letter of Ballaki to Vansittart, that the jewels of Mir Jafar had at one time been deposited with him.

2. *That no attempt was made to prosecute Nanda Kumar before May 1775.* It was on Saturday the 6th May that Mohan Prasad gave his evidence, and that Nanda Kumar was thrown into jail, and I maintain that no overt step was taken to prosecute him until then. No doubt there were communings and plottings between Hastings and Mohan Prasad for months before, but nothing public was done till May. The story that Driver recommended Mohan Prasad to prosecute in March 1774, and that he accordingly applied to the Mayor's Court for the original papers, is contradicted by Driver's own petition. We there see that Ganga Vishnu, and not Mohan Prasad, was then his client, and that he asked for the papers because he had commenced suits in the Diwani Adalat; and wanted the bonds, receipts, and other vouchers, in order to establish the same. Sir Elijah Impey never ventured to say that this application of Driver had anything to do with a contemplated criminal prosecution. On the contrary, he said before the House of Commons, that he had no evidence to prove that the endeavouring to procure the papers from the Mayor's Court was intended as a step towards a criminal prosecution. Mohan Prasad did not say in his evidence, nor did Impey say

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in his charge, that there had been an attempt to prosecute in 1774. What Impey said to the jury was, "You have heard when the papers were delivered out of the Court; if there has been any designed delay, and if you think Mohan Prasad had it in his power to carry on an effectual prosecution before he has, it is a great hardship to Maharaja Nanda Kumar, especially as the witnesses to the bond are all dead, and you ought to consider this among other circumstances which are in his favour." And then he adds what seems to me to be either a cruel sneer, or a very inapt remark,—“though, to be sure, this hardship is much diminished, as there are so many witnesses still alive who were present at the execution of it.”

Again, in his defence before the House of Commons, Impey argued that the fact that Hastings had released Nanda Kumar after Palk had put him into confinement, was sufficient to prevent any native from prosecuting Nanda Kumar, as the only Criminal Court to resort to was that in which Hastings presided. He also mentioned the difficulty about obtaining the papers, but he did not say that Mohan Prasad tried to get them in 1774 in order to prosecute Nanda Kumar.*

The Court of Kachahri over which Palk presided, was subordinate to the Governor and Council, to whom appeals lay from Palk's decisions. Hastings was therefore probably within his right in releasing Nanda Kumar, and at all events such action on his part could not frighten away a native from bringing a charge of forgery, any more than it frightened Ganga Vishnu from going on with the civil suit. It is also, I think, absurd to say that the papers could not have been got out of the Mayor's Court. A Criminal Court could certainly have compelled their production; and if Mohan Prasad or Ganga Vishnu had really wanted to prosecute Nanda Kumar criminally, and had tried in vain to get the papers from the Mayor's Court, they could have appealed against the order of refusal to the Court of Appeals, where Hastings presided, and to which the Mayor's Court was subordinate. Granting, however, that the papers could not be got out of the Mayor's Court, I do not see what there was in this to prevent Ganga Vishnu,

* Here I have to acknowledge that I did Impey an injustice in a former article, in saying that he had asserted that Palk had confined Nanda Kumar for forgery. I see now that he simply says that Palk had confined him, and this is quite true. It would have been more candid if he had said that the confinement was for contempt, for certainly the impression conveyed by his language is, that the confinement was for the forgery and this is how he has been understood by Sir J. Stephen. I suppose that he left the point obscure, because if he had said that the confinement was for contempt, it would have been seen that the act of Hastings in releasing Nanda Kumar, was no reason why a native might not expect justice if he prosecuted Nanda Kumar criminally.

or Mohan Prasad from starting criminal proceedings. They could at least have put in a petition to the Criminal Court and asked it to take cognizance of the charge, and to send for the papers. It was not as if they could not know without having possession of the original bond, whether it was a forgery or not. The paper was not missing though it was in the Mayor's Court. They had a copy of it, and if they could get a copy, they could also inspect the original.

The original was just as much wanted for the civil suit as for a criminal prosecution, and yet the fact of its being unattainable did not prevent the institution of the civil suit. Not does Boughton Rouse say, that the impossibility of getting the bond prevented him from disposing of the civil suit. Moreover, if we grant every thing that is alleged, grant that the bond could not be procured, and that no criminal prosecution could be started without it, all this will not account for the failure to prosecute before the papers went into the Mayor's Court. The executor had the bond in his possession in January 1770, and there is no evidence that it went out of his possession till 1771 or 1772.

In any case, he must have had it for months. Why did he not prosecute then? Mohan Prasad evidently felt himself pressed with this difficulty, for when the question was put to him "Why did you not begin this prosecution sooner?" his answer was, "I had very little power in the business of the deceased. Padma Mohan Das was the master." He never said that his difficulty was that he could not get the papers out of the Mayor's Court. Supposing that he had little power in the business then, there is still no explanation of why Ganga Vishnu did not prosecute. He was not a bedridden invalid in 1770-71. He took out probate, he went to Belvidere, and he endorsed the bonds over to Nanda Kumar. Mohan Prashad treated him as a capable man, for he showed him the papers, and he deposes that Ganga Vishnu was one of those who was always pressing Padma Mohan Das to settle the accounts, and to deliver them over.

He instituted the civil suit, why could he not institute a criminal charge?

3. *That there is strong circumstantial evidence that Hastings was the real prosecutor.* This is the most interesting of all the points, and the one which calls for most elucidation. I venture to think that I have added something to the evidence against Hastings, by showing that Belli, his Private Secretary and a member of his family, counteracted Farrer's endeavours to obtain a respite for Nanda Kumar. I have also given some facts and arguments in corroboration of Lord Macaulay's view, that Hastings acknowledged that Impey hanged Nanda Kumar in order to support him.

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The most obvious arguments to prove that Hastings was the real prosecutor are, that he was the intimate friend of the Chief Justice, who was a man utterly without scruples, as is shown by his subsequent conduct in the Pulbandi contracts and the Lucknow business ; that there was no prosecution or attempt at a prosecution of Nanda Kumar till he had stood forth as the accuser of Hastings, and that it is impossible to believe that an English Judge would have hanged a Hindu for forgery, and that too on so stale and badly proved an accusation, unless he had been improperly influenced. These are all old arguments and are those which were most dwelt upon by Hastings' contemporaries. To my mind this is greatly in their favour, for an argument must be good which strikes everybody and at once. All the special pleading in the world will not wipe out the facts that Nanda Kumar was prosecuted for forgery *after* he had charged Hastings with taking bribes, and that he was hanged while his charges were still under examination.

Sir J. Stephen observes that the coincidence in point of time between Nanda Kumar's accusations and the forgery charge was by no means close, as there was an interval of nearly eight weeks between them. I think, however, that most people will admit that this was a very short interval, especially when they remember that part of it was occupied by the prosecutions for conspiracy. Nanda Kumar accused Hastings in March ; in April, Hastings, Barwell and Vansittart were getting up the conspiracy cases, and on 6th May, Nanda Kumar was arrested on a charge of forgery. The interval is less than that between Nanda Kumar's disgrace, and his appearance as Hastings' accuser, and yet no one, and Sir J. Stephen least of all, will deny that these two things were connected.

Nanda Kumar had certainly fallen out with Hastings in March 1774. and on 11th January 1775 the final rupture took place. On that day Hastings told Nanda Kumar that he was from henceforth his enemy in India and England, and he turned him out of his house and forbade him ever to approach him again. This was an open declaration of war, and yet Nanda Kumar did not come forward to accuse Hastings till two months afterwards. Sir J. Stephen, too, is inconsistent, for after pointing out the length of time between the two events, he proceeds (less than ten pages further on.) to argue that the interval was so short that Hastings could not possibly have got up the case. He says, "Nanda Kumar's attack upon Hastings was made on 13th March. All sorts of contrivance, consultation, study of native documents and books of account in various languages and in an imperfect state, would be necessary before a prosecution could be entered

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upon. But till April 24th, the deed alleged to be forged was in the custody of the Court with many other papers in the case. About this time they were delivered to Mohan Pershad, and Nanda Kumar was arrested on the 6th May. How was Hastings, who was previously ignorant of the dispute, to get it up and prepare to commence proceedings in the course of ten or twelve days? There are several mistakes in this passage. In the first place, Nanda Kumar began his attack on the 11th and not on the 13th March.

Secondly.—Hastings acknowledged that he was for some time before aware that Nanda Kumar was going to attack him, and alleged that he had seen his paper of accusations.* Indeed it was the circumstance that Nanda Kumar had, as Hastings believed, leagued himself with his enemies, which made Hastings give him a rebuff in October.

Third.—It does not appear that the study of native documents and books of accounts was thought necessary by Mohan Prashad's advisers, for we learn from the report of the trial, that the books were produced *in consequence of a notice from the defendant to produce them*, but that Mr Durham, the Company's lawyer and Mohan Pershad's counsel, said that he declined making use of them, as they were in the Nagavi character, and that he could not point out the entries as to which he meant to have examined Mohan Pershad. Sir J. Stephen's remark begs the question at issue. If the prosecution was a *bonâ fide* one, the books were necessary, but if it was a political conspiracy, the less the books were looked into, the better was the chance of the plot's being successful.

Fourth.—The interval was just as short for Mohan Prashad as for Hastings. He had not the original bond any more than Hastings, and must have decided on the prosecution in March or April, for Sir J. Stephen admits that Mohan Prashad must have been influenced in carrying on the prosecution by the events which were passing in Calcutta.

Fifth.—The statement that Hastings was previously ignorant of the dispute is opposed to fact. He was fully aware of the dispute, and was patronising Mohan Prashad before Nanda Kumar brought his charges. In particular he knew about the civil suit, for he interfered in it by releasing Nanda Kumar when Palk had put him in confinement for contempt. This circumstance is proved both by Price and Impey, and it is only because Sir J. Stephen has not read the trial with care, that he doubts Impey's assertion that Palk confined Nanda

* In his letter of 16th May 1775, he says that it was the general report at the time, and that he believes it to be true, that when the majority arrived in the river Fowke, took down to Clavering a long list of charges which Nanda Kumar had forged.

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Kumar. Impey was quite right in saying that it was in evidence, for Kamaladdin referred to it in his deposition.

Sixth.—Sir J. Stephen's view that the time was too short for preparation, might have some foundation if Mohan Prashad had only seen the bond in April, but we know that he had had a copy more than two years before. All that happened in May was that Nanda Kumar was committed: the actual trial did not come on till June. Hastings and Mohan Prashad knew this, and consequently could calculate on having another month for the preparation of evidence.

The deposition which Mohan Prashad made in May has been lately discovered in the High Court of Calcutta.* It is very short, and does not touch upon the appearance of the bond, and for all that we know, Lemaistre and Hyde made their commitment without reference to any suspicious appearances in the bond. We, at least, know that the bond was not in the hands of Ganga Vishnu's attorney, Driver, at about the time of the commitment, for Durham had it three days before Nanda Kumar was committed. Now Durham was the Company's lawyer, so that it would seem as if the prosecution was being looked after by one of Hastings' subordinates. The fact is that Sir J. Stephen has, in his eagerness to vindicate the reputation of a brother-judge, involved himself in contradictions. First, he tells us that the interval between Nanda Kumar's accusations and the forgery charge was too great to allow of a connection between the two; then he tells us that it was too short to admit of Hastings' getting up the case, and finally he says that the case was so badly got up, that it is unlikely that an able man like Hastings could have had any thing to do with it. Now as Sir J. Stephen's view is that Hastings was ignorant of the civil suit, and had little time for preparation; plain people would say that the weakness of the case was a proof that Hastings had got it up, and not Ganga Vishnu or Mohan Pershad who were fully acquainted with all the facts, and in particular, were familiar with the proceedings in the civil Court. The gallant knight has rushed like a lion into the fray, but, alas, he has been caught in the toils, and I much fear that all the little rats of the British Press will be unable to nibble him out again, even if they be as numerous as those who followed the Pied Piper of Hamelin.

Hastings' letters of the 27th March and 18th May are to my mind strong evidence of his being connected with the prosecution. In the first, which was written before the conspiracy or forgery charge had been set on foot, Hastings was in the depths of despair, and was contemplating an immediate flight from

* App. D. see p. 438.

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India. He writes of a resolution which he has made to leave the place, and says that he shall consider himself at liberty to quit the hateful scene before his enemies gain their complete triumph over him. In the next, which was written in less than a fortnight after Nanda Kumar had been flung into jail, his tone is changed. He retracts his resolution to leave at once, and determines to wait the issue of his appeal to the Directors. His reasons are, that he cannot believe that the majority will be supported in their barefaced declarations of their connection with a scoundrel like Nanda Kumar, or that the people of England will approve of such things as their visit to Nanda Kumar when he was about to be prosecuted for conspiracy, and their elevating his son to high office when he was in gaol, and in a fair way to be hanged. In the same letter he incidently gives a striking proof of the terror which was created among his native accusers by Nanda Kumar's commitment. After mentioning that Dalil Rai, the farmer of Rajshye, had been dismissed, and Rani Bhowani restored, and that one Nanda Lal had also been dismissed because he had tried to dissuade Ram Krishna, the adopted son of the Rani, from engaging in the dirty work proposed to him, (*i. e.* accusing Hastings.) and because he had at last separated himself from Ram Krishna, he adds, "after Nanda Kumar's commitment, the young scoundrel, (Ram Krishna,) sent an emissary to Kanta, entreating my forgiveness, and offering to reveal the arts which had been practised on him by Nanda Kumar to compel him to put his seal to the petition, if I would signify my approbation of it ; but the General sent for him, took a second petition in confirmation of the former, and he is now tied down to the party for ever." We see, then, that Hastings' fortunes turned upon the Nanda Kumar question. If the majority were successful in their support of Nanda Kumar, Hastings would be ruined and would have to leave India, but if the counter attack made with the help of the Supreme Court were successful, Hastings would win the day.

It, therefore, cannot be denied, that Hastings had strong motives for destroying Nanda Kumar. He was the first native who stood forth as his accuser, and he was the last. They had been enemies from 1758, and so enduring was Hastings' hatred, that he wrote of him many years after his death, as the only man of whom he had ever been the personal enemy, and as one whom he detested from his soul even when compelled to countenance him. It is admitted that Hastings tried to crush him by instituting the conspiracy charge, and one has only to read the lengthy petition which Nanda Kumar and Fowke were accused of extorting from Kamaladdin, to see how futile and preposterous the charge of conspiracy was. It was

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impossible for even the best disposed jury to do other than acquit on such a charge. The inducement to destroy Nanda Kumar was almost equally strong, whether his charges were true or false, though, of course, we should sympathise with Hastings if we thought him unjustly accused. But I think that no reasonable person can doubt that Nanda Kumar's charges were true. Sayer, the Company's counsel, thought that Hastings' conduct in dissolving the meetings of Council was proof of conscious guilt, and even his most devoted apologists admit that this circumstance, and also the fact that Hastings never denied the receipt of the bribes mentioned by Nanda Kumar, are some evidence against him. There was nothing in Hastings' antecedents or opinions to make it improbable that he had taken the money. He was in debt and difficulties the whole of his long life, and was always borrowing money. Larkins, his Accountant-General, and a very friendly witness, said that Hastings began to borrow money very soon after he came to India, and that he was very indifferent from whom he borrowed. In the case of a public man in India, this is almost equivalent to an admission that he took bribes right and left.*

* In addition to other errors in his account of the conspiracy charge, Sir J. Stephen has committed the very serious one of misstating Kamal's representation to Hastings on the morning of the 19th April.

He says (I, 79.) that Kamal came and complained that Nanda Kumar and Fowke had compelled him by threats to sign a petition or *arzi*, saying that he had paid Hastings bribes to the amount of fifteen thousand, rupees in three years, and 45,000 to Barwell, and that they compelled him also to acknowledge the correctness of a *fard*, or account of sums collusively taken by himself on account of the district of Hiji. If Kamal had made such a complaint as this, then his charge might be said to be a material traverse of Nanda Kumar's accusations, and to be an appropriate and legitimate weapon of defence against them. But, in fact, Kamal did not make such a complaint as Sir J. Stephen has described. The note with which the account of the conspiracy case begins in the report says, that Kamal came to Mr. Hastings with a complaint against *Mr. Joseph Fowke*, for having extorted from him by violence, accusations against Mr. Hastings and other persons, and the deposition of Kamal which follows shows that it was Mr. Fowke he accused of extorting the *fard* from him. He did not allege that Nanda Kumar was present then, or that he took any part in extorting the *fard* from him. An examination of his deposition will show that it was only the *arzi* which he said Nanda Kumar got him to write. The *arzi* contains nothing about a bribe of Rs. 15,000, and Sir James has confounded in his account two different papers, the *arzi* and the *fard*. The deposition given by Hastings agrees with the reporter's note just quoted, and shows that Kamal's complaint was mainly against Fowke. After Hastings had described the complaint made by Kamal in December, he was asked if Kamal ever made any other complaint to him. He answered "he complained to me in April last. He came to me one morning in great agony, and the collar of his *jama* was torn; he complained that Mr. Fowke had compelled him to sign an *arzi*, misrepresenting the contents of the former." Hastings was twice examined, once in his own prosecution, and again in that of Barwell. In one he did not even mention Nanda Kumar's name,

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It was to Hastings' being a bad economist both for himself and the public, that his friend Lord Teignmouth attributed most of his misfortunes. Consider, too, the society in which Hastings had been brought up, and the temptations to which he was exposed. These were naively stated by him in a letter to the Court of Directors of 25th March 1775, about his stopping the tribute to the King of Delhi. "The stoppage of the King's tribute," he writes, "was an act of mine, and I have been often reproached with it. It was certainly in my power to have continued the payment of it, and to have made my terms with the King for any part of it which I might have chosen to reserve for my own use; he would have thanked me for the remainder." When he made his defence in the House of Lords, he said that he had never denied taking presents before the Regulating Act forbade it. Admittedly Nanda Kumar's charges were true as regarded one-and-a-half lakhs, and the granting of Baharband Pargana to his banian. Hastings made

and in the other, though Nanda Kumar's name came up in cross-examination, he said nothing about Kamal's complaining against him either about the *fird*, or the *arzi*. It is perfectly clear, I think, that the conspiracy cases were mainly directed against Fowke. Nanda Kumar is stated according to the report to have been found guilty in Barwell's case, but I suspect a misprint here. In the first place it is impossible to see how he could have been convicted about the *fird*: second, Hyde's notes do not seem to mention that he was found guilty, or sentenced: third, Nanda Kumar must have been in the condemned cell when the conspiracy case was decided, and there is no record in Yeandle's affidavit, or elsewhere, that he was brought out to be present at the conspiracy trial; yet surely the Judges would not try him in his absence. It is important to note that the so called deposition of Kamaladdin before the Judges on 20th April, is really a translation of a petition. The original Persian is in the High Court, and begins in the usual way with a Gharib Parwar, Salamat. It must have been written out before Kamal appeared before the Judges.

Impey was more cautious than Hastings or Sir J. Stephen, and would not allow that the conspiracy case had any thing to do with Nanda Kumar's charges. In his defence before the House of Commons, he said, "to prove that the prosecution was not carried on for the purpose of justice, but to protect Mr. Hastings from the consequence of charges against him, it is alleged that a prosecution for a conspiracy was commenced against Nanda Kumar to defeat his accusation; and that before any indictment found for the conspiracy, he was indicted for the forgery. No proof whatever was attempted to be given, nor was it ever surmised at the trial, that the prosecution for the conspiracy was commenced for that purpose. Two indictments for conspiracy were found against him and others at the same sessions in which the indictment for forgery was preferred. Whether those for the conspiracies, or that for the forgery had the precedence, I never knew, nor can I conceive it to be material."

These remarks show two things, first that Impey denied that it was thought at the time that the prosecution for conspiracy had to do with Nanda Kumar's accusations. Second, that he affected ignorance as to which indictment was first found, though the trial, printed under his own auspices, shows that the indictment for forgery was drawn out on 7th June, and that for the conspiracy against Hastings on the 19th idem.

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out that the money was the ordinary entertainment charge of a Governor-General, and Sir J. Stephen thinks that this defence is borne out by Mr. Wright's evidence. He forgets that the allowance was paid to Hastings when the Nawab was a minor, and when, on that account, * his income had been reduced from thirty-two lakhs to sixteen. There is no proof that Clive or Verelst ever drew such an enormous sum as one-and-a-half lakhs for entertainment money, and even if they did, surely when the Nawab's income was reduced by one-half, there should have been a corresponding reduction in the entertainment charges. Sir J. Stephen has attempted to show that Clavering did not consider Nanda Kumar an important witness against Hastings, and that, consequently, the latter had not a strong motive for getting rid of his evidence. But it seems clear that all that Clavering meant was, that Nanda Kumar's evidence had been invalidated by his conviction.

Clavering spoke on the 8th May of Nanda Kumar's evidence being of very great importance, and a pamphlet of Joseph Price enables me to show that on another occasion, Clavering said that Nanda Kumar's revelations were of immense importance.†

* By the Director's, letter of 10th April 1771.

† There was a Mr. Benjamin Lacam in Calcutta whom Clavering and the rest of the majority patronised. Some one, possibly Price himself, wrote to the General that his encouragement of Lacam kept respectable people from his house, and this was Clavering's reply.

SIR,—I, and my friends, Colonel Monson and Mr. Francis, have been sent into this country to redress the grievances of the natives, and put an end to the peculations and extortions which prevail. This we cannot do, except we come to know who, among the old administration, have been guilty of such enormities. Raja Nanda Kumar, who has hitherto been the Prime Minister of this country, offered himself to produce proof positive of numberless extortions.

Those he had already given in were of immense importance; but they came to hand so late, that the last ship of the season had been dispatched, though not yet gone to sea. It was in vain for us to trust any of the officers who acted under the late Government; excuses would have been found: the impossibility of sending letters down in time to catch the ships would have been quoted. In short we had nothing for it but to make our difficulties known to Mr. Lacam, who boldly undertook the task, and executed it at the risk of his life. After such proof of his attachment and desire to serve us, do you come with a story about his former friends? Why, Sir, those former friends to whom he stands indebted, and to nobody else, have in revenge for his intrepidity in our service, called upon him suddenly for the whole amount of all their bonds, which bonds were given for Mr. Hancock's concern of one-third in the chanam contract, for which poor Lacam was obliged to pay Rs. 50,000 premium."

To understand this, it is necessary to state that Lacam conveyed the dispatches on Board the *Anson* when she was lying at Ingellee, (Hijli?) in the end of April 1775. This act, and also I presume, Lacam identifying himself with the majority, by standing bail for Fowke, so enraged Hastings, that he sent his sarkar to Lacam on 17th June with the peremptory message, "Rupiya mangta," "I want my money," viz., the bonds, all of which

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There are many indications that Hastings interested himself in the forgery case. Before it actually commenced, he was having interviews with Mohan Prasad at his town and country house. This fact rests on the authority of Nanda Kumar, but I see no reason for doubting it, especially as the statement was made long before Mohan Prasad had prosecuted Nanda Kumar. It is also in accordance with Hastings' treatment of Nanda Kumar's other accuser, Kamaladdin, whom Hastings admittedly invited to Belvedere in April. On 6th May, Nanda Kumar was committed to jail, and next morning Hastings was lamenting to his friends that bail had been refused, as people would lay the blame of this upon him. His fear was no doubt just, but the hypocrisy of his regret that bail had not been allowed was proved by his conduct next day, when he objected to any inquiries being made as to the place where Nanda Kumar should be confined. A fortnight afterwards we find Hastings gloating over the prospect of Nanda Kumar's being hanged. Once the case was set afoot, Hastings

the saikar presented. Poor Lacam was in despair, but apparently he got Francis and others to lend him money.

According to Impey, Lacam was one of the few who refused to sign the address of thanks to the Judges, and got rewarded by a contract for so doing. I believe that this account is false, for Lacam had his lime contract long before, and I am not aware that he got another. So far from Lacam's benefiting by his independence, Hastings took an early opportunity to cancel a lease which he had obtained for making a new harbour. He also had him flung into jail, and kept there for over two and twenty months. He was not released till December 1778, and even then Hastings would not give up his claim. All the other creditors, among whom were Chambers, Francis and Wheeler, gave him a release, but Hastings would not, and so the other creditors empowered him to confess judgment to the Governor-General, and to pay the amount out of such effects as were to be sold. This was in October 1780, and in the December following, Lacam and his wife, for whom even Price has a good word, went home with Francis in the *Fox*.

It has been supposed by some that the majority were not justified in inquiring into such half-forgotten scandals as the "peculation and extortion" mentioned in Clavering's letter, and those revealed by Nanda Kumar, and that even if the charges were true, they should not have gone into them. This was a view enforced by Hastings and his friends, and is plausible; but the fact is that the majority were only carrying out the orders of their masters the Court of Directors.

On the 29th March, and therefore just before the Councillors sailed for India, the Court drew up a series of instructions for the new Council, and the 35th paragraph was as follows:—

"We direct that you immediately cause the strictest inquiry to be made into all oppressions which may have been committed either against the natives or Europeans, and into all abuses that may have prevailed in the collection of the revenues or any part of the civil Government of the provinces; and that you communicate to us all information which you may be able to obtain relative thereto, or to any dissipation or embezzlement of the Company's money; and that you as soon as possible form such regulations as shall seem most effectual for the remedy thereof."

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discreetly withdrew into the background. He knew that the affair was in safe hands, but he emerged again when there was a question about respiting Nanda Kumar, and employed his private secretary to thwart Farrer in his attempt to obtain a respite. Immediately after the execution, he allowed Elliot to go home to defend the judges, and he violated his oath of secrecy by supplying Impey with copies of his colleague's minutes.

It is surely strong proof of Hastings' connection with the prosecution, that nearly everybody who had to do with it was a friend or dependent of his own. The Chief-Justice was a school-fellow and a bosom friend, Elliot, the interpreter, was a member of his family, and Robinson, the foreman, was a friend. Weston, too, must have been in his intimacy, for he was the servant of Hastings' old chief, Holwell. Mohan Prasad, the ostensible prosecutor, had been treated by Hastings with extraordinary favour, and Kista Jiban was Mohan Prasad's servant, and wholly dependent on him. Kamaladdin, the chief witness in the two conspiracy cases, was closely connected with Hastings' banian, Kanta Babu, and with Sadaraddin Munshi and Ganga Govind Singh.

Sadaraddin had been for many years the servant of Graham, who was Hastings' intimate friend, and was joint-agent with Maclean for Hastings in England. At the time of the trial, Sadaraddin was in the service of Hastings' other great friend—Richard Barwell.

Khwaja Petruse was an old creditor of Hastings, and connected with him by a common intimacy with Mir Qasim, and a common hatred of Nanda Kumar. Maharaja Naba Krishna was the Munshi of Hastings in his boyish days, and was so attached to him that, according to his account, he lent him three lakhs of Rupis and would not take a bond for the amount. He, too, was an old enemy of Nanda Kumar. Hazari Mal was a man whom Hastings had favoured by giving him the collections of the Purniah District, and by the institution of the Bank. Camac was one of the two military collectors to whom Hastings referred in his opening minute at the Council-Board, and with regard to whom he said, that they corresponded only with the Governor. Camac was also, I believe, at a subsequent period, Hastings' Private Secretary. Even the Munshi who compared the copy of the bond in the indictment with the original, seems to have been Hastings' servant, for probably the Sher Ulah Khan of the trial is identical with Sheriyat Ulah Khan who was Hastings' Munshi, and who gave evidence in the conspiracy case. On the other hand, Rup Narain Chaudhari, an important witness for the defence, was a man whom Hastings had

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singled out as being an enemy of his own. To conclude as to my 3rd proposition ; we have Hastings's own admission that Impey hanged Nanda Kumar in order to support him. Endeavours have been made to show that Hastings' words refer to the resignation affair, but I have elsewhere given my reasons for thinking that the attempt has been unsuccessful : it is certain that his language must refer either to the resignation, or to Nanda Kumar.

It is most improbable that it can refer to the resignation, First.—Because Impey's support was not essential on that occasion as the Judges were unanimous. Supposing that Impey instead of supporting Hastings then, had gone against him, the result would still have been the same, for the opinions of the other three Judges would have prevailed, even if we suppose that, on an extrajudicial reference, Impey would have been entitled to a casting-vote. Second.—Because Impey was far from thoroughly supporting Hastings on the occasion, and Hastings was surprised and disgusted at this. Third.—Because it is impossible to show how Impey's holding that Hastings' agent had not tendered his principal's resignation, but had only stated his desire to resign, could save Hastings' honour and reputation.

4. *That Kamaladdin Khan, the principal witness in the three trials for conspiracy and forgery, was closely connected in business with Kanta Babu the banyan of Hastings, and was the intimate friend of Sadaraddin Munshi. . . . Also that Kamaladdin was a man whose word could not be believed, and who had been justly described by Clavering as an infamous creature, and by Mr. Fowke as the scum of the earth* As Sir J. Stephen admits that Kamaladdin was a very poor creature, and one who considered common falsehood as fair play, I do not think that I need spend many words in proving him worthless. A study of his conduct in December and April, and of his depositions, is enough to prove him this.

In an article which I wrote in this *Review* on Warren Hastings in 1878, I described Kamaladdin as the benamidar of Kanta Babu. Sir J. Stephen twice, (1, 79, note, and 208) observes that the statement, if correct, is no doubt important, as if he stood in that relation to Kanta Babu, he must have been greatly under his influence, and Kanta Babu would of course be greatly under the influence of Hastings. Probably Hastings would not have admitted the truth of this remark, for his cue always was to pretend that he knew very little about his banyan's proceedings, and that it would have been improper for him to interfere with him in his business, *i. e.*, in his absorbing so much of the landed property of the country. Sir J. Stephen's remark, however, is true, for there is abundant

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evidence that Hastings exercised control over his banyan. Kanta was, in fact, Hastings' right hand man, and went with him every where; for instance, he was with him at Benares, where we find Hastings dignifying him with the title of Diwan, and threatening Chait Singh's mother if she ventured to trifle with him.

At the time I made the statement referred to by Sir J. Stephen about Kamaladdin's position, I did so on the authority of General Clavering. I have since gone further into the subject, and I think that I can now establish the fact that he was Kanta Babu's *benamidar*, or *farsi*. At all events I can prove my statement that he was closely connected in business with Kanta Babu. The most striking proof of this is Kamaladdin's own statement in his third petition to Nanda Kumar. This petition begins with the words, "In the month of Baisakh 1181, (Vilayati?) Ram Prasad Mukarjya underfarmed the Thika Khalaris from me, on account of Babu Leekenace and Nundee, giving Mr. Archdekin as his security." There can be no doubt that the name *Babu Leekenace* and *Nundee* is a misprint for Babu Lok Nath Nandi, who was the son to Kanta Babu. Lok Nath was the person in whose name Kanta held most of his property, Pargana Baharband for instance, in the district of Rungpur. Lok Nath was a minor in 1775, being in fact a boy of about twelve years of age, if so much, yet Hastings had the hardihood to describe him, in a revenue consultation of 12th July 1774,* as a man of substance and credit. The old records of

* Kamaladdin though an indigent man, unable according to Mohan Prasad, to pay off a debt of Rs. 600, was selected by Government in 1772 to be the ostensible farmer of Hijli. This was a very extensive and important charge, for not only was a great amount of salt produced in Hijli, but it also yielded a large land revenue. According to Kamal's evidence, he furnished, as farmer of Hijli, 375,000 m^{ans} of salt, and collected yearly Rs. 75,000 of revenue. Kamal got his farm about the middle of September 1772, and as he was quite unable to manage it, he soon afterwards made it over to one Candip, or Chandrip (Kandarpa?) Das, who took it in the name of hiss on Chandi Charau. Kandarpa held the farm till about 24th December 1773, and then surrendered it again to Kamaladdin. This, however, was a nominal transaction, for Kamal immediately sublet the farm to Basant Rai, or Basant Ram. When Kamal got his farm in 1772, an elaborate patta or lease was executed, and in the 31st Article thereof it was stipulated, that all the thika khalaris, that is, all the saltworks in the hands of contractors in the Pargana, were to be put under Kamal's charge, and that none should be worked by individuals. It was also specified that such persons as did work thika khalaris, should be obliged to deliver up the salt at a price fixed by the Government. This is the arrangement referred to by Hastings in his deposition as prosecutor in his conspiracy case, where he says Kamaladdin, "in the month of December, complained that Mr. Fowke had attempted, by promise and threats, to extort from him a declaration, that he had given bribes to English gentlemen and mutasaddis for the grant of the thika khalaris, for the adjustment of accounts relative to them; I am not certain which. These were saltworks not originally

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the Committee of Revenue which are preserved in the Board of Revenue, are full of references to Lok Nath Nandi's salt transactions, and Hastings admitted in Council that the *thika*

included in the lease of the farm of Hijli, but worked by other farmers, by people brought from other parts, and afterwards given to the farmer of Hijli to prevent competition." This account differs somewhat from that given by the Committee of Revenue who had the lease before them, and who, no doubt, gave the more correct version of the affair. The Committee go on to say, that on 11th February 1774, Kamaladdin contracted to supply 75,000 *māns* of salt to Government, and they observe that the express condition of this contract must necessarily have been, that all the *thika* *khalaris* should be yielded up to him; that in March following a general order was given to the Naib Diwan to deliver over all the *thika* *khalaris* to the contractor, and to oblige him to repay any advances the proprietors might have made, with an annual interest of twelve per cent. These *thika* *khalaris* had apparently been in the hands of several persons, and it appears from a letter by Nanda Kumar, dated 20th May 1774, that he had two of them in the name of his son Guru Das. Kanta Babu was, however, the great holder of them, for he had no less than 401. (Probably the real number was 400, and the one was added to prevent the number ending with a cypher.)

Kanta Babu held these works in the name of his son Lok Nath, that is, the Leekenace of Kamal's petition, and so all the petitions to the Committee of Revenue about them are in the name of Lok Nath. The records of their proceedings are full of his complaints and of counter charges by the salt-agent, Mr. Archdekin. The dispute arose in this way. The arrangement with Kamaladdin making all the *thika* *khalaris* over to him took place in February 1774, and therefore in the middle of the working season. Lok Nath complained that by this time he had made 26,000 *māns* of salt, and had given advances for 17,000 *māns* more. He therefore asked that 43,000 *māns* should be made over to him. Upon this the Council by a letter, dated 16th August 1774, and signed by Hastings, Graham, and others, directed the Committee of Revenue to make over 26,000 *māns* of salt to Lok Nath Nandi at Chitpore. "On its being weighed off to the Company there, you will please to settle with him on the same terms you agreed to allow him in the proceedings of 1st April last; and, for the remainder of the salt which has been manufactured from his advances, you will oblige the farmer to whom it is to be delivered, to reimburse Lok Nath Nandi the amount of those advances with interest." It must be admitted, therefore, that even if Hastings' account be true that Kanta was much aggrieved by the salt-works being given in farm to Kamal, his patron took care that he should be indemnified as much as possible. There were other people besides Kanta who had made salt before Kamal got his farm, *e. g.*, Baneshwar Ghose, but I do not find that he got delivery of the 5,000 *māns* which he said he had made. Next month there is a letter from Lok Nath Nandi, dated 23rd September 1774, offering to buy all the *thika* salt of Hijli, Maisadul, and Tumlook, to be delivered to him at Sulkea at Rs. 155 *ukka* per *mān* of 82 S. W. including the duties.

In reporting on this proposal the Committee say that salt now sells at Calcutta at Rs. 190 *Arcot* per *mān* of 82 S. W., and that it is falling in price daily. From a letter of 20th January 1775, we learn that Lok Nath withdrew from his proposal on account of a dispute about "basket weight." Among the Board of Revenue records, there is a long letter from Archdekin the Agent, complaining of the high handed proceedings of Lok Nath Nandi's gomasta, and of his refusing to take over the 26,000 *māns* on the ground that he expected orders for 40,000. In the

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khalaris belonged to Kanta before Kamaladdin got them, though he maintained that Kanta had been aggrieved and not benefited by Kamaladdin's farm. The translation of Kamaladdin's petition was made by Chalmers the official translator, so that there is no reason to doubt its correctness. We have therefore a clear statement by Kamal, that Kanta Babu was his under-farmer, under the style of Ram Prasad Mukarjya, and we know from Barwell's letters, and from statements of Kamal to the Committee of Revenue, etc., that Kamal's under-farmers were the real beneficiaries of the farms. But recent researches which I have made in the office of the Board of Revenue, enable me to carry the matter still further, though they compel me to enter into wearisome details which I append below.

There is ample evidence that Kanta Babu was closely connected in business with Kamaladdin, but this is not all. I believe that General Clavering was quite right in saying that the two were partners, though they may have afterwards quarrelled. In my article in the January number of this *Review*, I said that apparently Kanta had nothing to do with the Hijli farm, but I have since been led to form the opinion that he had. Basant Rai, who was Kamaladdin's Katkinadar, or sub-lessee in the Hijli farm, appears to have been a dependant of Kanta. He is repeatedly called Basanta Ram by Kamaladdin and others, and I believe that he is identical with Basant Ram Diwan* who was a servant of Kanta.†

proceedings of 21st June 1774, we have Lok Nath's petition giving his account of the dispute. The matter was not settled for a long time, and on 28th May 1775, we have a letter from Archdekin, reporting that Kanta Babu's gomasta had taken away from Rasulpur Ghât 8,000 mânds of salt more than he had Charchittis, (passes,) for.

* Some support to this view is given by the President of the Committee of Revenue remark of 25th October 1775, that Basanta Rai was an old Matasuddi.

† He is referred to as such in a petition, apparently, from the Raja of Bardwan, which is preserved in the proceedings of the Committee of Revenue of 5th June 1775. This petition says that the Pargana of Sathsika in Bardwan, was settled in 1178, (1771) with Bistu Charan Nandi the nephew of Kanta, and that in 1180 Kanta gave a four years lease, Katkina, of it to Basant Ram Diwan. Complaints were made by the rayets to Kanta of Basant Ram's oppressions, and then he dismissed him.

It would also appear that though Kanta held his 401 salt-works in the name of Loknath Nandi, there was a Benami below a Benami, a double veil in short, and that Loknath's Khalaris were held by, or in the name of, Basant Rai, otherwise Basant Ram. I infer this from a petition by one Shama Chakrabatti of June 1775, where he says that he held the Thika Khalaris in partnership with Basant Rai, and complains that he had been compelled to surrender them to Kamaladdin. Basant Rai, otherwise Basant Ram was a real person, and appeared before the Committee; indeed, he was too real to have the farm in his own name. He too had a Farzi, viz., his nephew Ajib Rai, a child of five or six. The Board of Revenue records

Wherein is neither Life nor power to live—
 Bound Devils to the snow-capped peaks (These vex
 Earth with their struggles)—poured undying fire
 Into the bosoms of the tortured hills,
 And filled the belly of the Deep with life
 Unnameable and awful at his will—
 Sent forth his birds, the owl, the kite, the crow—
 Grey wolves that haunt our village-gates at dusk
 Made he his horses and his councillor
 The hooded snake—in darkness wove the grass
 That kills our cattle—made the flowers that suck
 Man's life like dew drops—evil seeds and shrubs
 That turn the sons of Adam into beasts
 Whom Eblis snatches from the sword-wide Bridge.
 The thing that stung thee and its kind his hands
 Fashioned in mockery and bitter hate—
 Dread beasts by land and water all are his.
 Each bears the baser likeness of God's work,
 Distorted, as the shadow of thy face
 In water troubled by the breeze."

But here

An Ape from off the *chuppar* thatch that hangs
 Above my stall, dropped swiftly down and stole
 A double handful of sweet *balushai*,
 Then gibbered overhead among his kin.
 I laughed (albeit half my stall was wrecked).
 "Is *he* the work of Eblis?" Yusuf stretched
 One lean forefinger to the painted shrine
 Where Hanuman the idol leaped and grinned
 And all his living brethren frisked above :—
 "Eblis made Man—behold him—dung and filth
 And refuse of the Pit. O Hassan! See
 The men of Eblis worshipped by his sons!
 Alone, afar, at noon-tide Eblis watched
 The Seven Soils slow moulded into Man,
 And feared the living clay God made his lord.
 Then the last Night of Sin came down and cloaked
 The young and tender world while Eblis wrought.
 None knew the secrets of that Night but God.
 'Tis writ the angels shuddered when they heard
 Clamour and lamentation through the dark;
 Cries of huge beasts whom Eblis slew to make
 His Man more perfect; thunders from the Pit
 And voices of the Devils and the Djinns
 Rejoicing. It is written Eblis called
 Three times to God to stay the flying Night.
 Allah Al Bari heard him (He is great!)

And held three times Her pinions till the cries
Ceased and the work was perfect."

Yusuf smiled,

Mocking the apes with pellets from his wheel :—
"Perfect. Then Eblis turned and saw his work
When the Great Darkness lifted. Thus he cried
Amid the laughter of the Sons of God :—
'Lo ! what is this I make. Are these *his* limbs
Bent inward tottering 'neath the body's weight ?
The body crutched by hairy spider arms,
Surmounted by a face as who should say
Mourning :—Why hast thou made me, wherefore
breathed

Spirit in this vile body ? Let me be.—

The strange black lips are working with a cry,
A cry and protest while the wrinkled palms
Are put forth helplessly and beat the dusk.
So did not my great foe when he was made.
I saw his eye quicken with sense of power,
I saw all wild things crouch beneath that eye ;
God gave him great dominion over all,
And blessed him. Shall I bless my handiwork ?
After thy kind be fruitful, lust and eat,
All things I give thee in the Earth and Air
Only . . . depart and hide thee in the trees.
He rises from the ground to do my will
Dumb, limping, crippled. Can the being speak ?
Stay, Thing, and thank me for thy quickening.
The great eyes roll—my meaning is not there
Reflected, as God's word was in the Man's.
I, Maker, bid thee speak in Adam's tongue,
Unto my glory and the scorn of God.

* * * * *

He plucks the grass-tufts aimlessly, and works
Palm within palm ; then, for a moment's space,
Breaks off rough bark and casts it on the ground
Accursed, e'en as I am.

Yet one curse

Shall sink him lower than the lowest. Stay !
Man ! Inasmuch as thou art made my Man,
From all communion in the woodland tongue
With beast and bird for ever be debarred.
The Oxen bellow in a thousand keys,
There is one bellow to the ear of man :
The Lion from the rock-rift calls his mate,
And Adam hastening folds the fearless flocks,

Saying :—He roars for hunger. He is wroth—
So be it unto thee.

Alas! the light
Is flaring forth to mock me. He, my Man,
Helpless, uprooting grass. While all the world
Is thick with life renewed that fills my ears
My last, my greatest work is mockery.
Depart O Ape! Depart and leave me foiled! " "

This tale told Yusuf by the Bhatti Gate,
Mocking the Apes with pellets from his wheel.
He bade me wrap the melon-rind anew,
And trust in God the Fashioner of Good,
Seeing the mighty works of Eblis brought
A half day's torment at the most—or stole
A double handful of sweet *balushai*.

RUDYARD KIPLING.

THE QUARTER.

THE principal events of the quarter have been the return to power of a Liberal Ministry under Mr. Gladstone ; the termination, on what appears to be a satisfactory basis, of the Servo-Bulgarian War ; the continuation of Prince Bismark's measures for expelling the domiciled Poles from German territory ; the Socialistic outbreak in London ; the Dilke-Crawford divorce suit ; and among events in India, the visit of the Viceroy to Burma, the arrangements which have been organised for the future civil and military administration of Upper Burma : the organisation of the Finance Commission ; and the death of General Wilson.

Whatever may be thought of Mr. Gladstone's claims to be considered a statesman in the highest sense of the term, it must be confessed that he has shown himself a consummate Parliamentary tactician. It is now more apparent than ever that he "rode for a fall" when he accepted an adverse vote, on a minor issue, as a vote of want of confidence, and resigned office. The difficulties of his position at the time were hopeless and overwhelming. His foreign policy in Egypt and the Soudan had been discredited by a series of blunders and calamities, the consequences of which he could never hope to retrieve. Nothing he could do would bring back Gordon or Twefic Pasha to life—or restore to the Egyptian army the slaughtered battalions which fell with Baker Pasha and with Hicks ; his policy for the pacification of Ireland and the conciliation of the Irish people had resulted in such disastrous failure, that the Irish difficulty which he was pledged to deal with (when he came into office) is now, after nearly seven years of Liberal administration, more of a difficulty than ever, and he was hopelessly at issue with some of the ablest of his own colleagues as regards the measure to be adopted for dealing with this difficulty in the future, having regard to the admitted and miserable failure of the means directed to that end in the past. His diplomatic dealings with Russia had not been a success. Matters had reached a diplomatic dead-lock between the two countries, when Lord Salisbury assumed office. To continue in the political paths on which he had entered was impossible ; to retrace his steps and admit his mistake, would have been

very possible but at the same time very humiliating. So he selected a course midway between these alternatives and ran away altogether, and in all this we see the cunning of a great Parliamentary tactician substituted for the courage and capacity of a great statesman. The interval between his resignation and his return to power has been most advantageous to him. The strong popular feeling against him has had time to subside, but even as the Prime Minister in a new cabinet, he has not been able to avoid the inevitable cabinet split which threatened his last ministry with disruption and destruction. But how long will it be before his miserable inability to grapple with the political difficulties of the hour—will lead up to a similar crisis—and how long will the English people consent to place the political destinies of the country in the hands of a man who has done more, probably with the best intentions, to weaken, discredit and injure it than any other man of this, or of any other time, in the worst and most degraded periods of English history itself? "How long, oh Lord, how long!" Nor can we find in the internal conduct of the country any compensation for the honor and security we have forfeited abroad. Trade has been stagnant and depressed beyond all precedent, the result, in a great measure, of political uncertainty; the manufacturing classes discontented and impoverished; the agricultural classes gloomy and depressed. In poverty, idleness and discontent, socialism has found its opportunity, its time and the hour of darkness, and all those creepings things (to borrow Macaulay's fine simile) who riot in the decay of civilization, have hastened forth to their repast, and they have done right, for they have only done after their kind.

It is worthy of note that Mr. Gladstone (in connexion with his home-rule policy for Ireland) has made great capital out of the word "inevitable," and now that word has been taken up as "if it were the burden of a song" by his whole party. More than this. The dreary political refrain has found acceptance with a class of political thinkers who do not, as a rule, approve of Mr. Gladstone's views or follow his lead. But in what sense can it be said with any truth, that Home-Rule is the inevitable solution of the Irish difficulty? If it is now inevitable, it has become so owing to the miserable policy of granting concession after concession to Irish demands, until it became inevitable that Mr. Parnell, having got everything else he asked for, should ask for Home-Rule and be satisfied with nothing short of that final concession—or why final? Home-Rule will be accepted as a step towards entire separation, and then the inevitable conflict will be renewed with still more degrading and inevitable concessions in store for us, or civil war, bloodshed, social chaos, and political anarchy for the

ultimate issue. This is what all thoughtful and sensible men foresaw, when the danger which now threatens us, was looming in what appeared to be a very distant future indeed. This is what Mr. Gladstone fails to see even now when the future peril has become a present reality. If ever there was a policy of "shooting Niagara—and after," it is the policy of giving any modified form of Home-Rule to the Irish people, with the hope of finding in that concession a permanent settlement of the Irish question. Grattan who knew his countrymen thoroughly, said: "the Irish people are a very bad people to give way before." This is a truth which Mr. Gladstone has already learned to his cost in the past, and which, it is to be feared, he will have impressed on him at a still heavier cost in the evil days that are now before us. For in connexion with the whole history of Irish agitation for the last seven years, there is one patent significant fact, and the consideration of that fact ought to disillusionize the dreariest political muddler who ever believed in the possibility of settling the Irish difficulty by periodical concessions. It is this. After every concession, the Irish leader has changed ground and presented a new front.

Fixity of tenure, abatement of rent, compensation for land-improvement, these were the cries of the Irish agitators so long as those cries served their purpose, and until by the Land Act they got all they had cried for at the hands of a conceding ministry. Then the cry was changed to abolition of landlordism, and owing to the permitted infamies of the land-league, landlordism is practically abolished in Ireland; for it is a misnomer to give the name of landlord to a man who is dependent on *the will* of the tenant for his rent. And now, the cry is changed again. Now they want a separate Parliament and the exclusive charge of the Irish executive: for what? In order that the present system of robbery and spoliation by Irish tenants may be legalized by an Irish House of Representatives.

Prince Bismark never acts without an object. and it is to be assumed that he has some object in view in connexion with the terribly severe measures which he has lately put in force against the domiciled Poles. But what that object can be, it is very difficult to see. Germany, in view of future complications with Russia, has an obvious interest in standing well with the Polish people, but the effect of the Chancellor's policy will probably be to alienate the Poles for all time. In connexion with this question, a French political critic hazards a conjecture, as to the possible object of Prince Bismark's action, which is probably very near the mark. The impoverished Poles who took refuge in Germany belonged to the most dangerous

—that is, to the poorest and most discontented—classes of the Polish population. Now, that this class should be encouraged to emigrate across the frontier, was the obvious interest of Russia, and in German official circles it is openly stated that the Russian government resorted to all sorts of secret and oppressive measures, not merely to facilitate, but to compel this wholesale emigration. Prince Bismark is not a man to be trifled with in this way ; what appears to be his high handed brutality, is only an open countermove to Russia's secret and insidious designs. That countermove, regarded purely from a political point of view, is a smasher. It is simply a check-mate to the long series of intrigues and treacheries of the Russian Secret Emigration Societies.

The settlement, or temporary settlement, of the Servo-Bulgarian difficulty is satisfactory. If war is destined sooner or later to be evolved from the Eastern difficulty, it is better it should be later than sooner, that is with reference to the surrounding circumstances and requirements of our military position at the present time ; for, thanks to Lord Ripon and his advisers, we have a good deal of lee-way to make up, in the way of preparation, before our India frontier is at all secure against a possible Russian attack. We lost our chance of settling the Eastern question in our favor, for at least forty years to come, in 1878. An English officer now in Calcutta had a most interesting conversation on this subject with General Valentine Baker a short time back. Baker Pasha told this officer, that after the treaty of Berlin, Lord Beaconsfield, then Prime Minister, sent for him (Baker Pasha) and asked him to give his candid opinion on this point. "Would we have succeeded had we gone to the assistance of the Turks just before the treaty of San Stefano?" Baker Pasha gave his opinion without the least hesitation to the effect, that we certainly would have succeeded, and then explained, in great detail, all the various grounds on which he based that opinion. Lord Beaconsfield listened to him in silence, making no comment of any kind, but just said as he was bidding him "good bye ;" "even a Prime Minister cannot always do what he wishes."

The Viceroy's visit to Burma was well-timed and has already led to some important results, but with politicians of the red-tape school, personal impressions count for very little as factors in practical statesmanship. But Lord Dufferin is not a politician of the red-tape school, and with him, and all administrators of his class, they count for a great deal. Lower Burma will be united to Upper Burma, and the two provinces will be placed under one government, both civil and military, but for the present

Mr. Bernard will go to Upper Burma, and an officer, acting in general subordination to him, will carry on the administration of Lower Burma. The selection of Mr. Bernard for this important post will meet with the heartiest approval of all those in any way conversant with the history of the transactions which led to the ultimatum and the overthrow of Theebaw. It is quite true that Mr. Bernard may have appeared to hesitate somewhat too much, and too long, in connexion with the negotiations and remonstrances which preceded the ultimatum, but the Chief Commissioner foresaw that every detail of these negotiations would be subjected to the most jealous scrutiny by the English Parliament and the English Press, and he determined, and wisely determined, that there should not be a "hinge or loop to hang a doubt upon" when the examination took place. If we now come into Court with such clean hands that even the *Daily News* can find no speck on them, that result is due, in a very great measure, to Mr. Bernard. In recognising this Lord Dufferin has done infinite honour both to himself and his administration, and if it be true, as is reported, that Mr. Bernard is to be made a K.C.S.I., that distinction was never more fully earned, and will never be more worthily bestowed.

The recent riots in London have been accepted as a "sign of the times," and we have been asked to regard them as the outward and visible symbol of the enormous strides which socialistic doctrines are making in England in our time; but this is a view of the late occurrences in London which will certainly not bear examination. The great depression of trade (consequent to a great extent on the miserably uncertain character of our political administration) has had the effect of driving a vast number of people belonging to the working-men classes out of employment. Poverty and hardship breed discontent, and the London socialists had no political programme which bore the faintest resemblance to the political creed of the continental communists. This is admitted by Mr. Hyndman himself. The riots, according to Mr. Hyndman, formed no part of his original programme. The people who formed his audience became angry because they were "laughed at" by some well dressed by-standers, and these they proceeded to hustle, and then the thing was fomented and kept up by the roughs, pure and simple, who were only too glad to take advantage of the opportunity to have a "go in" at the shops. This explanation of the recent disturbance is very plausible; and it is probable, that, in all essential respects, it is very true. This sort of thing has occurred before even in England and on a very much larger scale.

The Dilke-Crawford divorce suit must be included among the more sensational events of a socially sensational quarter. The incident is from any point of view a most unfortunate and regrettable one. In the first place it is little less than a public misfortune that the name of Sir Charles Dilke should be connected with such a case at all. Sir Charles Dilke, although a radical in relation to our English domestic politics, is a statesman who holds very sound views on all questions connected with our foreign policy, and as such, he has acquired, and that in a very marked degree, the confidence and respect of all sensible men on both sides of the House. In the second place it is doubly unfortunate that the trial should have terminated, or been allowed to terminate, in the way it did. The decision, as it seems to us, was a most "lame and impotent conclusion" puzzling, contradictory, and altogether unsatisfactory. Mr. Crawford obtained his divorce, and Sir Charles Dilke is acquitted on a purely technical plea—want of evidence. Mrs. Crawford did not put in an appearance, and her unsworn statement to her husband implicating Sir Charles Dilke, was not regarded as "evidence" by the Court. The evidence, therefore, which the judge had before him, was the evidence—the entirely unsupported testimony—of Mr. Crawford himself as to what his wife said, and some memoranda written by his wife at Mr. Crawford's request. This was accepted as sufficient to establish the fact that Mrs. Crawford had committed adultery, but there was no "evidence" to prove that she committed adultery with Sir Charles Dilke. This is a hard saying and difficult to understand; but, apart from this, the fact remains that Sir Charles Dilke did nothing personally to clear his character of the serious imputations which had been made against it. A technical consideration intervened in his favor, and he was content to accept his acquittal on that ground, and on that ground alone. The feeling in the public mind now is, the uncomfortable one, that the accusation was so framed, and the case so conducted by mutual consent, as to secure for Mr. Crawford all that he wanted—a divorce from his wife—with as little examination of the causes which led to it as need be entered into—consistently with that result. Sir Charles Dilke may be, probably is, entirely innocent, but it remains a matter for the most profound regret, that he did not consider it necessary or desirable to put his innocence beyond all doubt.

The long illness of General Wilson excited universal sympathy, and his death, universal regret. Few men in their time have said more sharp things to their subordinates than General Wilson (for he was a rigid disciplinarian, and his temper was somewhat peremptory) and perhaps no man ever

gave less real offence in saying them ; for, under this somewhat rough exterior, there was so much manliness, generosity, delicacy, and real warmth of heart, that his sharpest reproofs left no sting of permanently wounded feeling behind. As an official he was distinguished by a certain downrightness and straightforwardness—

Not for neat reasoning, subtle or refined
Paused the strong logic of that rushing mind.

He was also a very rapid worker, too rapid, his detractors said, to be very thorough or very sound, but this was on the whole a calumny. If his apprehension of a subject was, as a rule, very swift, it was also, as a rule, very thorough. He loved decision and promptness in everything, and would turn with instinctive disgust from anything like hesitation, embarrassment or delay. On the whole, he was a grand old man ; living, he was as one "that drew after him the hearts of many," and by his death his country was deprived of a most gallant soldier, and his friends and relatives were bereaved of a most dear friend.

The Finance Commission to inquire into expenditure has been organized at last, and there is no fault to be found with the *personnel* of the Committee, so far. It is emphatically what the Viceroy promised it would be—"strongly constituted." It is not only a strong Committee : it is also a very expensive Committee—these Committees, in the interests of economy and retrenchment, always are. We are always glad to spend a good deal of extra money in connexion with the process of finding out that we have already spent too much. Nevertheless the money will be well spent if the labours of the Committee eventuate in some suggestions of such a practical character, that the Government will be able to make a new departure in connexion with public expenditure, especially the expenditure on public works. Mr. Charles Elliott is the President of the Committee. No better selection could have been made.

G. A. STACK.

22nd March 1886.

SUMMARY OF ANNUAL REPORTS.

Annual Report on Inland Emigration for the year 1884.

PRINCIPAL statistics :—

The two agencies authorized by the law, collected in all 31,286 emigrants for transmission to the tea districts. Each licensed recruiter on an average registered 33·56 emigrants, and each garden sardar registered 7·60 emigrants. Besides the 31,286 emigrants recruited and registered by the two licensed agencies abovenamed, it appears from the Resolution by the Chief Commissioner of Assam on the Report on Immigration *vid Dhubri* in 1884, that 12,199 free or unregistered emigrants reached Dhubri during the year, of whom 7,863 labourers with 3,916 dependants entered into local contracts under section III of Act I of 1882, and then went on to the tea gardens of the Assam Valley districts, and the remaining 420 proceeded to the tea gardens without contract under the Act. In 1883 10,096 free or unregistered emigrants reached Dhubri, of whom 7,026 with 2,363 dependants executed local contracts at Dhubri, and 707 continued their journey without having contracted under the Act.

Report on Public Instruction, Punjab, 1884-85.

PRINCIPAL statistics :—

The number of scholars in public institutions was last year returned at 125,906 which was unprecedentedly large. This year it stands at 132,993, an increase of about 7,000, or 5½ per cent. There is some decrease in the number of females under instruction; but the number of male scholars has increased in all stages. Numerically, the greatest addition took place in Primary Schools; but proportionately, the increase of about 50 per cent. in Arts Colleges, was far higher than in any other department. Similarly, while the number of scholars as a whole has increased by only 5½ per cent., the increase in English-learning scholars is 9·5 per cent., and, while the increase in Government institutions is barely more than 3 per cent., that in aided institutions is 10·5 per cent. In all these percentage calculations, however, it must always be borne in mind, that after numbers have reached a certain amount, the percentage of annual increase will almost always diminish, not because the increase is not in itself as great as before, but because it is compared with a larger realized result.

Report of the Administration of the Andaman and Nicobar Islands for 1884-85.

PRINCIPAL statistics :—

The average number of convicts at Port Blair and the Nicobars throughout the year rose from 11,570 to 11,662, but the number present fell from 11,772 at the commencement, to 11,666 at the close of the year—a decrease of 106.

Six hundred and thirty convicts were received from India, and 17 from Burma, and 23 persons were locally convicted, making a total of 670 against 805 in the previous year.

The number of releases was more than doubled during the year (574 against 270); 7 were transferred to India. The number of deaths fell from 216 to 185, a reduction of 31; 7 were executed, against 9 in the previous year. The number of runaways at large was 24, against 12 of the preceding year.

Out of the 11,666 convicts present at the end of the official year, 9,979 or 77·82 per cent. were life convicts, and 2,587 or 22·18 per cent. term convicts; of these, 2,949 or 25·28 per cent. were Mahomedans, 8,335 or 71·45 per cent. were Hindus, and the remainder professed other religions.

Report of the Revenue Administration of the Punjab and its Dependencies, for 1884-85.

P RINCIPAL statistics :—

The collections on account of land revenue during the year amounted to about 212 lakhs, or nearly three and-a-half lakhs more than in the previous year. Notwithstanding this improved result, the provincial balances increased during the year, and now stand at nearly a million of rupees. Of this amount a sum of nearly three-and-a-half lakhs is classed as irrecoverable, doubtful, or nominal. The remainder is in process of liquidation, and it is hoped that a considerable portion will be actually liquidated during the current year. These large balances are in some respects a new feature in Punjab Revenue administration. But though they are a necessity, they are none the less a misfortune; and the Lieutenant-Governor looks to District Officers to see that no legitimate opportunity for the recovery of the State's arrears is allowed to pass by unutilized.

Report on the Police of the Lower Provinces for 1884-85.

P RINCIPAL statistics :—

The total number of cases, cognizable and non cognizable, increased from 214,985 to 219,733, showing a net increase of 4,748 cases. There was an increase of crime in six out of the nine divisions. In the Presidency, Rajshahye and Bhagulpore Divisions, there was an increase of 2,234, 1,252 and 2,885 cases, respectively. In the Dacca Division, on the other hand, cases decreased by 3,453. In Bengal the percentage of cognizable cases was 46·5, that of non-cognizable cases 53·5. On the other hand, in Behar, the percentage of cognizable exceeded that of non-cognizable crime, the figures being 58·2 and 41·8 respectively.

Cognizable offences reported increased from 104,454 to 112,365, or by 7,911. There was an increase in offences against property of 9,212, and in offences against public tranquility of 135. Under offences against the person there was a decrease of 347, and in other cases of 1,089. The increase in offences against property is attributed to a partial failure of crops and consequent high price of food acting as an incitement to crime. The increase in this class of crime was most marked in the Patna, Bhagulpore, Presidency and Rajshahye Divisions. There was a marked decline in excise and nuisance cases.

In Bengal the percentage of cases declared false decreased from 7·3 to 5·9, in Orissa from 8·9 to 6·5, in Chota Nagpore from 8·1 to 6·6. In Behar the percentage increased from 6·4 to 6·8. On the whole there was, it is stated, a decrease from 7·1 to 6·3. The Rajshahye, Patna and Bhagulpore Divisions were the only ones in which there was an increase. Cases excluded from the returns as false, through mistake of law or fact, increased from 8,699 to 9,572. It seems doubtful whether Magistrates

have not in some districts, particularly Backergunge, shrunk from declaring charges to be wilfully false. The percentage of cases reported by the police to be false, but declared by Magistrates to be true, increased from 7·8 to 8·5.

Report on the Bengal Land Revenue Administration, 1884-85.

P RINCIPAL statistics :—

Collections.—The total collections both current and arrear, amounted to Rs. 3,71,37,748, or a percentage of 92·41 on the total demand, as compared with 94·03 per cent. in the previous year. Out of this amount, Rs. 16,66,444 were arrear collections, representing 75·72 per cent. on the arrear demand; while Rs. 3,54,71,304 were current collections, being 93·37 of the current demand. Under both heads the percentages of realization are below the corresponding percentages of the preceding year. The decline of Rs. 5,05,395 in the current collections was due to delay in the payment of the revenue of the Burdwan estates caused by the death of the Maharajah, just before the close of the financial year. The arrear has since been realized.

Remissions and Balances.—The remissions of revenue granted during the year, rose to Rs. 1,24,977, against Rs. 1,03,580 remitted in 1883-84. The largest amount remitted in any district was Rs. 28,259 in Midnapore, on account of loss of crops in the Jellamuta and Majnamuta estates, arising from the excessive rainfall of 1881. The total outstanding balance from all classes of estates amounted to Rs. 29,25,677, as compared with Rs. 22,00,716 in the previous year. From this, however, should be deducted Rs. 8,00,000, being the purely accidental arrears from the Burdwan estates. Thus the true outstanding balance is reduced to Rs. 21,25,677, or three-quarters of a lakh less than in 1883-84.

Report on the Rail-Borne Traffic of Bengal, 1884-85.

P RINCIPAL statistics :—

Compared with 1883-84, the total quantity of traffic during 1884-85 increased by 38·67 per cent., while it was nearly three times that carried in 1882-83. The improvement was entirely in the trade to Gya, which amounted to 8,31,143 maunds, against 4,39,424 maunds in 1883-84, and 98,323 maunds in 1882-83, and was due to the scarcity which prevailed in parts of that district. As regards the traffic carried in the opposite direction, the falling off during the past year was very marked, the quantity having declined from 2,02,455 maunds in 1882-83, to 1,73,532 maunds in 1883-84, and to only 18,810 maunds in 1884-85.

Report on the Calcutta Medical Institutions for the year 1884.

P RINCIPAL statistics :—

All through the record in 1884 there was an augmentation in the number of deaths, save under the heading "Diarrhoea and Dysentery," both of which diseases shewed, a diminution in the number of fatal cases registered. The fatality of these diseases, cholera or no cholera, has steadily lessened of late years, the number of deaths having declined in the decennial period, when it stood in the year 1875 at 1,579 to 1,209 in 1884, the lowest figure ever reached.

During the year ending the 31st December 1884, 13,256 deaths were registered in Calcutta. The annual rate of mortality, which in the preceding five years averaged 29·24 per 1,000, increased last year to 30·5. The lowest rate reached in the ten-year period was 27·1, viz., in 1880. The deaths referred to the principal zymotic diseases, greatly increased with the exceptions noted. Of other diseases of this class the precise figures are not apparent in the return, whooping cough, measles, &c., having been lumped up with "other causes."

Punjab License Tax Report for the year 1884-85.

PRINCIPAL statistics :—

The figures entered on the margin show that the results of the working of the tax during 1884-85 have been very similar to those in 1883-84, as the results in 1882-83 were very similar to those of the preceding year. It is satisfactory to observe that in most cases an improvement has taken place in the framing of the collector's lists.

Report on the External Trade of Bengal with Nepal, Sikkim and Bhutan 1884-85.

PRINCIPAL statistics :—

The following statement gives the total value of the trade registered during the past three years at all the stations from Bengal only.

					Imports into Bengal.		
					1882-83.	1883-84.	1884-85.
					Rs.	Rs.	Rs.
From Nepal	...	...	...	...	75,60,604	71,76,210	72,16,819
„ Sikkim	...	...	...	...	2,00,148	2,21,523	3,75,987
„ Bhutan	...	...	...	...	1,11,442	96,350	1,34,189
Total	...	...	...	...	78,72,194	74,94,083	77,26,995
					Exports from Bengal.		
					1882-83.	1883-84.	1884-85.
					Rs.	Rs.	Rs.
To Nepal	...	...	...	...	55,57,525	64,56,930	68,18,097
„ Sikkim	...	...	...	...	1,16,294	1,12,711	2,04,735
„ Bhutan	...	...	...	...	86,693	1,23,000	1,43,308
Total	...	...	...	...	57,60,512	66,92,641	71,66,140

Report on the Lunatic Asylums, Madras Presidency, 1884-85.

In the following table the results in these institutions for the year under report are compared with those of the two preceding years :—

	1882-83.			1883-84.			1884-85.		
	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.
Remaining at end of previous year	291	106	397	317	117	434	369	124	493
Admitted	168	52	220	170	48	218	161	53	214
Deduct--									
Died	35	8	43	19	5	24	21	14	35
Cured	43	23	66	75	23	98	75	15	91
Transferred to friends	43	9	52	20	9	29	26	7	33
Otherwise	21	1	22	4	4	8	5	0	5
Remaining at end of year	317	117	434	369	124	493	403	140	543
Daily average strength	314.17	109.35	424.02	353.22	121.95	475.17	383.32	137.71	521.03
Do. do. sick	14.05	6.83	20.58	12.89	6.12	19.01	13.07	5.09	18.16

These figures show plainly that the lunatic population to be accommodated in the three asylums of the presidency increases every year.

*Annual Report of the Lunatic Asylums of the Punjab, 1884.***P** RINCIPAL statistics :—

There were 283 lunatics in the Lahore Asylum on the 1st January 1884, 231 males and 52 females. At the Delhi Asylum there were 87, of whom 68 were males and 19 females. In the former 63 were admitted during the year, 50 males and 13 females; in the latter 64, 48 males and 16 females.

The total number of lunatics treated at both asylums during the year amounted to 497, of whom 397 were males and 100 females. Of these, 51 were cured, 39 males and 12 females. At Lahore 9 lunatics were made over to friends, 4 escaped, of whom 2 were re-captured, and 23 died. At Delhi 10 were transferred to friends, 6 were discharged, proving not insane, and 18 died.

*Annual Report of the Insane Asylums in Bengal, 1884-85.***P** RINCIPAL statistics :—

Lunatics in confinement.—On the 1st January 1884 there were in all the asylums 907 persons. Of this number 724 were males and 183 females. The corresponding numbers for 1883 were 849, 663, and 186.

Admissions.—Of primary admissions in 1884, there were, males 166, and females 42, or a total of 208 persons. In 1883 the numbers were 184, 25, and 209, the increase over 1883 being females 17, and a decrease among males 18. Under the head of re-admitted, the total number was 24, or males 20 and females 4. There has been little or no fluctuations among the latter since the year 1881, the total number re-admitted in 1881, 1882, 1883, and 1884 being nearly the same.

Population.—The total population of 1884 exceeded that of 1883 by 58, or males 40 and females 18, the total numbers being 1,139 and 1,081. As I have stated, re-admissions were about stationary during the past four years; not so, however, the primary admissions, which had decreased to 155 in 1882, but rose to 209 in 1883 and to 208 in 1884.

The total population in like manner decreased to 1,056 in 1882—the lowest figure reached in the ten years period—rose to 1,081 in 1883, and to 1,139 in the past twelve months.

*Review of the Trade of India in 1884-85.***P** RINCIPAL statistics :—

Last year saw the progress of trade temporarily interrupted by a considerable restriction in the export trade, chiefly in exports of Indian production and manufacture, although the re-export trade also exhibits smaller dimensions than in the preceding year. The value of Indian merchandise exported diminished by about 477½ lakhs, being more than 5½ per cent. less than in 1883-84. Out of this sum nearly 374 lakhs represent the extent of the decline in the Rice and Wheat trade, which accounts for nearly 78 per cent. of the whole decrease in the value of the export trade. If to this item is added a decline of 109½ lakhs in the exports of raw Cotton the whole decrease in the export trade is more than accounted for. There was, indeed, a contraction of greater or less extent in some other important staples of the Indian export trade, such for instance as Coffee, Tea, Indigo, Opium, Silk, and Sugar, but in none was there a restriction at all approaching that which occurred in Rice, Wheat, and Cotton, and these smaller decreases were more than balanced by an expansion of trade in such items as Cotton, Yarn and Piece-goods, Hides and Skins, Jute and Gunny Bags, and Seeds. Although however the trade was slightly less than that of 1883-84, it was 26 per cent. in excess of that of 1879-80, six years previously.

Even such a small decline as 1½ per cent. in the volume of Indian trade is unpleasant to record, interrupting as it does a hitherto continuous record of expanding trade since the termination of the Famine of 1877 and 1878.

CRITICAL NOTICES.

GENERAL LITERATURE.

The Dictionary of Islam. By Thomas Patrick Hughes. W. H. Allen & Co., Waterloo Place, London.

THE term Dictionary, as applied to this important work, is to a certain extent a misnomer. The form which Mr. Hughes has adopted is that of a dictionary, but the work itself is much more than a dictionary in the ordinary sense of the word. The aim of the author has been, through a study of Muslim terms, to throw a flood of light on Muslim religion, law, tradition, institutions, customs and habits of thought, and to trace though the history of its terminology, the changes which passed over Mahomedan civilization from the earliest period down to modern times. This great plan has been executed with extraordinary ability, and the hope which he himself expresses respecting the value which scholars will extend to his labours, will, we are sure, be more than realized. He says :—

The "DICTIONARY OF ISLAM" has been compiled with very considerable study and labour, in the hope that it will be useful to many ;—to the Government official called to administer justice to Muslim peoples ; to the Christian missionary engaged in controversy with Muslim scholars ; to the Oriental traveller seeking hospitality amongst Muslim peoples ; to the student of comparative religion anxious to learn the true teachings of Islam ;—to all, indeed, who care to know what are those leading principles of thought which move and guide one hundred and seventy five millions of the great human family, forty millions of whom are under the rule of Her Most Gracious Majesty the Empress of India.

The Contemporary Evolution of Religious Thought. By Count Goblet d'Alviella. Translated by J. Moden. Williams & Norgate, 14, Henrietta Street, Covent Garden, London.

WE live in the age evolution. Philosophers have found, or think they have found, in the theory of evolution, the key which will yet solve for them the great riddle of the universe. In connexion with physical evolution, we have Darwin, for social and intellectual evolution, Herbert Spencer, and now religious evolution finds a thoughtful and eloquent exponent in Count Goblet d'Alviella. Our author takes a survey of all existing forms of religious belief, and traces, through their

history, that connexion and development which has taken place under the inexorable laws of evolution. He glances at the past history of religion, but dwells with great minuteness on the contemporary phases of religious thought in every part of the world. That portion of his valuable work which will have most interest for Indian readers, is comprised in the sketch which he gives of the latest movements of religious thought among the natives of India. He speaks, be it observed, from personal knowledge and personal observation, for the Count travelled through India in 1876. Having sketched the past history of the Brahmo Somaj movement, our author sums up, as it were, its present position and future prospects as follows :—

This truth Brahmoism thinks it has found, or is, at least, assured of its discovery, and its various Churches, however divided they may be among themselves, are agreed in accepting the words of Protâp Chunder Mozoumdar, when he says in his apology for the New Dispensation, "We have not now a doubt in our minds that the religion of the Brahmô Somâj will be the religion of India—yea, of the whole world, and that those who really care for God, for piety, for purity, for human brotherhood, for salvation and for eternal life, will have, in one way or another, under one name or another, to accept the faith and the spirit that a merciful God is perpetually pouring into the constitution of our Church."

Without professing to share this absolute confidence, which is the gift of faith, we may nevertheless come to the general conclusion that, if the Hindû spirit continues to advance along the lines now forming its course, the world will yet witness more than one curious interchange of religious, as well as of moral and scientific ideas, between the two great branches of the Aryan race. Was it not from analogous interchanges between the ancient Pantheism and the Semitic Monotheism in the crucible of Neo-Platonism, that Christianity itself took definite form in the second century of our era? If India helps us to pass through the religious crisis which is now troubling society, and it is perhaps in a condition to do this, it will have deserved well of all those who are interested in the harmonious development of civilization.

2. *Brahmo Year Book* for 1881, page 137. Protâp Chunder Mozoumdar visited England again during the summer of 1883, when he preached in several Unitarian Churches with the same acceptance as at the time of his first visit. In truth the position he has taken up belongs less to the New Dispensation than to the general principles of Brahmoism, in other words, of Transcendental Theism.

Outlines of Medical Jurisprudence for Indian Criminal Courts.

By J. D. B. Gribble, C.S., Madras Civil Service, Retired.
Higginbotham & Co. Madras. 1885.

THIS is a very useful practical treatise on a subject of great and growing importance in connexion with the administration of criminal justice in India. Every description of medical evidence likely to be met with in an Indian Criminal Court is carefully and exhaustively discussed, analyzed and illustrated exemplified from the records of actual cases.

The chapter on Medical circumstantial evidence is particularly valuable, and should be mastered by every young civilian in the country.

Outlines of a History of the Hindu Law of Partition, Inheritance and Adoption. By Julius Jolly, Ph.D., Professor of Sanscrit in the University of Würzburg; Tagore Professor of Law. Thacker, Spink & Co. 1885.

THIS important work is disfigured to such an extent by misprints, that it will have to be reprinted if Mr. Jolly wishes it to take a permanent place in the literature relating to the subject. Apart from the misprints, the book is very carefully executed. The distinctive value of Mr. Jolly's book lies in his careful analysis of old Sanscrit authorities bearing on the subject, and Mr. Jolly's lectures go a long way to prove that Hindu law was a far more developed and connected science than is generally suspected even by those who admire it, but who take exception to it as a fragmentary and disconnected system.

An Anglo Indian Dictionary. By George Clifford Whitworth. Bombay Civil Service. Kegan, Paul, Trench & Co.: Paternoster Square, London. 1885.

MR. WHITWORTH is to be congratulated on the very thorough manner in which he has executed a very useful work. The object of the work is two-fold; first, to supply a glossary of Indian terms used in English, and of such English or other non-Indian terms as have obtained special meaning in India. The book is, we believe, the first work of the kind, and it is calculated to supply a distinct want.

Hyderabad under Sir Salar Jung, Vol. II. By Moulavi Cherágh Ali. Education Society's Press. Byculla, Bombay.

THE arrangement of this work is, in our opinion, decidedly faulty. It is for the most part of the usual blue book type, with pages upon pages of statistics and appendices relating to the routine administration of Hyderabad, but here and there we have some very scanty information connected with the reforms introduced by the late Minister, and this constitutes the only portion of the volume which will have any interest for the general reader. Perhaps the most important reform introduced by Sir Salar Jung, relates to the Talukdari system of Hyderabad. How vigorously and how thoroughly the existing system was reformed is shown in the following para:—

The *Talukdari* system also was much abused and required a thorough reformation. The administration of the talukdars was in no way superior to that of the farmers. Whoever

offered to pay more than his competitor, and was ready to advance a considerable portion of the future revenue, was at once put in charge of one or more talukas, as Government agent, to administer the district in *Amani*. The talukdars seldom left the city. They generally deputed the management of the talukas to their *Naihs*, or sometimes sub-let them to a Zamindar or farmer. The first object of the talukdar was to reimburse himself for the *Nazrana* paid or money advance made by him to the Minister or the *Daftardars*. The talukdar had but little hopes of retaining his appointment two or three years to reap the fruits of his bargain; other competitors were always ready to succeed him, and he was often displaced by another capitalist before he could even reimburse himself for the *Nazrana* or other money advanced. Then would commence the counter charges of *Vasilat* and *Fasilat* already referred to. The Parganah officers, who were never regularly paid their *Rusums*, or cash allowances by the talukdars, though the latter regularly used to deduct the same from the Government accounts, often turned against their late master, now deprived of his appointment, under the pretext of examining his accounts of collections.

All the former talukdars appointed under the above-named system, were dismissed one by one by His Excellency the Prime Minister. Other talukdars, drawing fixed salaries as Government servants were appointed in their place, under a new system of departmental administration of the land revenue. These were resident in their own districts and were easily transferable. No *Nazrana* or *Peshgi* (advance) was required, neither were any *Vasilat* or *Fasilat* claims allowed

Maine's Popular Government.

ANYTHING on "Institutions" from the pen of Sir H. S. Maine is sure of a welcome; but the natural readiness to listen to his teaching will be modified, in the present instance, by the discovery that he has abandoned the purely scientific ground which we have been wont to see him occupy, to adopt one which is in perilous contact with the party politics of the passing hour. The object of the present book—which is a republication, in a continuous form, of certain periodical essays—is not so much to inquire into the historical origin of law and customs, as to point out certain objections to democracy. Sir Henry has several of these to announce: the word is not sufficiently defined, the thing understood being, according to him, nothing but a form of government. As a form of government it is vulgarly, but quite unnecessarily, thought to be a sort of law of nature which it is vain to resist. And, lastly, as a form of government, it is beset with peculiar difficulties, and has never been successfully adopted, on a large scale, except in Switzerland and America, where it has been saved from wreck only by circumstances peculiar to those countries, and to the peculiar safeguards by which the people of those countries have surrounded it. The thesis is ingenious, and is worked out in a spirit of cool and tonic philosophy, which makes the reader feel as if he had been dosed with iced Angostura. But there are obvious limitations which so skilful a reasoner would probably have noticed prominently had he only taken a brief upon the other side.

In the first place, democracy can be shown to be more than a mere form of government; and if not quite a law of nature

is not far short of being a law of Aryan nature. Looking to the institutions of Upper India, in Vedic times, and to those of ancient Athens, of ancient Rome, and ancient Germany, it will be seen that the popular government of which we find modern instances in England, France, Switzerland, and the United States of America, is far from being a modern experiment, or a transient form. The old Vedic Society seems to have consisted of a loose confederation of self-administering communes, headed, indeed, by an elective king, who was powerful in time of war, but otherwise held in little awe, and having his powers strictly limited by the rights of the people. They paid him no fixed tribute, but made him free-will offerings; three separate assemblies watched over the liberties of the people; and a final control was exercised by the princes of the blood, who were required to coerce the king if he showed symptoms of aspiring to absolute dominion. Such was the type, probably soon obliterated under the influences of the Indian climate. What it became in ancient Greece we know. Aristocratic democracy, with numerous slaves and chiefs, almost absolute in war, appears in the poems of Homer. But the Aryan germ was constantly at work; and so far back as the fourth Century, B. C., we find Hippocrates claiming popular government as a special privilege of Western nations, and a reason why they must always prevail in war over the nations of the East. Taking Democracy, therefore, as an ideal state of society, we must admit that it has been an ideal imbedded in the Aryan character, to the realisation of which Aryan races, in favouring conditions, have always tended. Even under one of the worst and most ignoble of despotic governments, Montesquieu noticed this; "It would seem" he wrote, "as though liberty were made for the genius of European servitude for that of Asia." And after further noticing how Imperialism had swallowed popular government in Rome, he points out that it was restored by the Goths and Vandals, who indeed, for military purposes, allowed kings, yet maintained the right of deposing them "when they ceased to please the people." He mentions, as part of the European scheme (from which the French of his day had indeed greatly departed,) "No taxation in the interest of the monarch; laws enacted in a general assembly."

These may be fairly claimed as among the essential features of modern Democracy also. Sir Henry Maine has very well shown how, in the Republic of Switzerland, as in that of the United States, organic laws are not only enacted in an assembly, but have to be referred to still more popular criticism. But he has wholly omitted to point out one gratuitous difficulty which the American constitution has created for itself. The

Legislative assembly has usurped executive power in a manner which is impossible in our English system. All the corruption and inefficiency of American internal administration is probably due to the absence of a body of controlling officials like the British Cabinet, responsible to Parliament, yet working by secret deliberation.

The fact appears to be that this problem of State can be best solved by observing what people do when left to themselves. The smallest and most homogeneous body of men, living together with equal rights, is a London club. And how is such a body administered? It does not pass a rule committing its management to a hereditary grand President, but it provides that there shall be a committee, elected for a fixed period, and responsible to the whole body of the members in general meeting. There are differences in particulars; but that is the universal typical method. And such a method, existing under slight modifications of form, in a hundred associated bodies of intelligent men, may surely be taken as a very fair type of what Englishmen find the most workable and useful scheme of common life and administration. Philosophers might do worse than take a lesson from this familiar and almost trivial source, instead of riding their high-pacing *a priori* hobbies.

The Liberal Movement in English Literature. Murray 1885.

UNDER this title Mr. W. J. Courthope, himself a recognised poet, has produced a pleasant set of papers on English poetry. The articles originally appeared in the *National Review*, and have made a very welcome re-appearance in their collected form. It is a great advantage to an argument of this kind to be studied continuously; it is well sustained throughout, and the style is so agreeable, that the reader is carried on without ever finding his attention suspended or his interest flag.

The general scope may be thus summarised. In art, as in other matters, a great race like the English has inherited ideas and principles which may vary by natural growth, but which cannot, advantageously, be suddenly ruptured. Certain writers—under the influence of the movement of revolution which set in at the end of the last century—introduced into the art of poetry a system of caprice, which tended to snap off this national and natural growth, and substitute a totally new departure which broke the continuity of English literary tradition. The character of advancing civilisation is to narrow the field of poetical cultivation; and, if the individualism which the author observes in “the Liberal movement” be not checked,

there is a danger of poetry dying out among us. The last century—up to the time of the commencement of the movement—was the era of sound practice; let vigour and variety be put into that method, but do not turn away from it altogether.

In one place the author appears to give somewhat arbitrary boundaries to the eighteenth century. From p. 74 to p. 79 the period seems to include Dryden—whose first great poem (the lines on Oliver Cromwell) appeared in 1659—and to exclude Sterne, Burns and Cowper. But the period of conventional literature really began with Waller and Denham, and died by inches when the new ideas began to find interpreters in Gray, Collins, and the *Reliques* of Bishop Percy.

On p. 29 there is room for a foot-note. Mr. Courthope says that Macaulay's definition of poetical art would exclude Teniers. In a delightful paper on Grinon, in the *Revue des Deux Mondes* for 15th November 1885, M. Schérer says that the German critic, admiring all imaginative art, expressly included Teniers, whom he found to show an element of imagination which made his work poetical.

Mr. Courthope is justly moved by the language used by Mr. M. Arnold, when he calls Dryden and Pope "not classics of our poetry but classics of our prose." One can hardly conceive anything more truly fulfilling the office, elsewhere assigned to poetry by Mr. Arnold, of furnishing a "criticism of life" than what may be found in the work of these two writers. Take for example, the following lines from Dryden's *Tenth Satire of Juvenal* ;—

'O Thou, who knowest the wants of human kind!
Vouchsafe me health of body, health of mind,
A soul prepared to meet the powers of fate
And change, whenever called, its mortal state,
That reckons death a blessing, yet can bear
Existence nobly with its weight of care,
Anger repressed, lust quenched, and work preferred
To pomps and vanities that sway the herd.'

It is hard to imagine a nobler criticism of life. But the phrase is too cold. Had Mr. Arnold called poetry an illumination of life, the words would have included almost all the great English poets. Cases like Shelley and Keats, or "in a minor degree" others of our Birds of Paradise who never touch the earth, might be excluded. But, after all, a Parnassus inhabited by Chaucer, Spenser, Dryden, Pope, Byron and Tennyson, could afford them an asylum on some outlying spur of the sacred mountain. As regards Keats, Mr. Courthope has well shown that his method is too pictorial, too much taken from other arts. The most popular passage of *Endymion*, for instance, is little more than a very animated paraphrase

of Titian's *Ariadne* in the National Gallery. It is, indeed, impossible to imagine anything that this gifted young man might not have done if his health had been stronger and his experience more enlarged. But, taking what he actually achieved—wonderful as it is—it is open to Mr. Courthope's objections. Compare the argument in *Laokoon*, especially Chap. VII. and the foot-note on the passage in Lucretius descriptive of the procession of the seasons. If Lessing is a sound critic the method of Keats is condemned, and that brilliant writer must take his lower place among the "artists for art," beneath the feet of those who are the great benefactors and masters of mankind.

As to the future, we may assume that some of the poetry of Tennyson—much as he owes to Keats—serves to show that the material of poetry has not been so exhausted by civilisation, but that a true poet may still find it to his hand.

Life of William Carey. By Dr. George Smith. Murray and Sons: Albermarle Street, London. 1885.

IT is evident that the fulfilment of his self-imposed task was a labour of love to Dr. Smith, and it would be difficult to speak with too much approval of the skill and judgment with which that task has been executed. As a mere biography, the life of William Carey is full of interest and instruction. He was an extraordinary man, and his life is the history of an extraordinary career; but the main interest attaching to this record is to be found in the fact, that it embodies the history of the real beginnings of that great movement—the India education movement, which is destined to exercise what we believe will be an ever-widening and imperishable influence on the Indian people. The "battles, sieges and fortunes" of modern Indian history have never wanted for able and eloquent historians. We have Macaulay, Marshman, Kaye, Malleon, Keene, Wheeler and many others to explain for us how it came to pass, that a small Company of English traders became in time the supreme rulers of the greatest dependency of the British Crown. Yet these achievements, splendid as they were, have often been equalled, often surpassed in the annals of older civilizations. Our conquest of India wonderful as it was, was not nearly as wonderful as the conquest of almost the whole known world by the Romans. Yet the Roman Empire passed away; and, although it cannot be said that no traces of that empire remain in the history, institutions and civilization of the West, it may be affirmed that Roman conquest left very few traces of its existence in the countries which were subdued by Rome in the East. If the day ever arrives

when England will be compelled to leave India, will it be possible for our enemies and detractors to say the same of us? We do not believe that it will. We believe with Sir Sumner Maine, that English influence, as represented by the introduction and cultivation of Western culture into India, will endure, and that if "the science of the universe were by some accident to perish from the rest of the earth, it could be reconstructed in Bengal."

There is another aspect—the missionary aspect—from which the life of William Carey must be viewed and regarded. Merely as a missionary, as a propagator of the truth of the Gospel among the heathen, William Carey must be assigned an honorable position amongst the very greatest names in the history of Indian missionary enterprise itself. The numerical argument as applied to missionary enterprise and its results, is one which we cannot, in the least degree, accept. It is, of course, very desirable to make a hundred converts instead of one, and a thousand instead of one hundred, but the missionary, the true missionary is bound to believe that the zeal and exertions of a life time are more than repaid if he makes even *one* sincere convert, one soul won from truth to error, from darkness to light. Nay, more than this, he is bound to believe, having regard to the reflex action of his exertions on his own mind and life, that there is no such thing as failure in connexion with missionary effort at all. The loss on the one side is gain on the other. It would be only too easy to be a very popular and a very successful missionary, but to be a patient and unwearying missionary, under the discouragement which too often besets missionary enterprise in India—native imposture, backsliding, and faint-heartedness, official indifference, and too often official injustice and contempt—to persevere to the last, when perseverance seems all but hopeless; to do this is to do the noblest work which could fall to the lot of any man under the most trying and difficult circumstances, by which that work could possibly be conditioned or surrounded.

William Carey was a man of very humble origin. In 1761 his father was a weaver, and afterwards he became a parish clerk and schoolmaster at Paulerspury. William Carey himself was apprenticed to a shoe-maker at Hackleton. Young Carey was brought up as a member of the Church of England, and as a youth, his feelings towards dissenters was one of ferocious and most un-Christian like contempt and hatred, but according to his own account of his earlier years, there was very little of the Christian about the boy Carey in any shape or form. He was most emphatically, what he calls himself, "a bad lad." He was "addicted to lying," and had a strong propensity to

thieving as well. A petty theft which he committed in his youth, became, as it were, the turning point in his career. This is an account of the incident in his own words :

"It being customary in that part of the country for apprentices to collect Christmas boxes [donations] from the tradesmen with whom their masters have dealings, I was permitted to collect these little sums. When I applied to an ironmonger, he gave me the choice of a shilling or a sixpence; I of course chose the shilling, and putting it in my pocket, went away. When I had got a few shillings, my next care was to purchase some little articles for myself, I have forgotten what. But then, to my sorrow, I found that my shilling was a brass one. I paid for the things which I bought by using a shilling of my master's. I now found that I had exceeded my stock by a few pence. I expected severe reproaches from my master, and therefore came to the resolution to declare strenuously that the bad money was his. I well remember the struggles of mind which I had on this occasion, and that I made this deliberate sin a matter of prayer to God as I passed over the fields towards home! I there promised that if God would but get me clearly over this—or, in other words, help me through with the theft—I would certainly for the future leave off all evil practices; but this theft and consequent lying appeared to me so necessary that they could not be dispensed with. A gracious God did *not* get me safe through. My master sent the other apprentice to investigate the matter. The ironmonger acknowledged the giving me the shilling, and I was therefore exposed to shame, reproach, and inward remorse, which preyed upon my mind for a considerable time. I at this time sought the Lord, perhaps much more earnestly than ever, but with shame and fear. I was quite ashamed to go out, and never, till I was assured that my conduct was not spread over the town, did I attend a place of worship."

From this date William Carey became a changed man. He was converted to the nobler life at once, and he never afterwards relapsed. He became a dissenter and a local preacher, and his influence and popularity in his own neighbourhood increased to such a extent, that he became a man of "light and leading" in a few years in all the families round Hackleton. His reason for becoming a dissenter was characteristic. He wanted to lead a life of labour and toil, for the cause which he had espoused, and the life of an ordinary Christian minister would never have suited a man of Carey's temperament. His burning zeal, his yearning to follow in the footsteps of his Master, his simple, fervent piety, impregnated with the spirit of true primitive Christianity—his wish to *suffer* as well as to *live* for the cause of the Gospel, would never have been adapted to the routine life of an ordinary Church of England curate. It was inevitable that a man so endowed, and with such inspiration, should desire to become a missionary, and he took up the study of Eastern languages to qualify himself for the task to which he intended to devote his life—the preaching of the word to the heathen—and the dissemination of the bible, by means of translations, in Eastern countries. In 1795 he came to India, and in 1800 he established himself at Serampore. Here

he lived for thirty-four years ; and what a noble record of accomplished work the history of that period comprehends. Every hour of the 12 or 13 per diem which he devoted to work had its assigned task.

He published—he preached—he taught—he translated—he kept up an immense correspondence with members of the branch missions, and with inquirers after truth from every part of India. He governed the College for Civilians set up by Lord Wellesley, and he found time amidst all those varied and arduous labours to found the Agricultural Society of India, to create a botanical garden, and wrote himself several very valuable treatises on botany. As an oriental scholar he has perhaps never been equalled in the extent and variety of his linguistic attainments, although as philologist, it would be too much to claim for him an equal place with Colebrook or Jones. He became a rich man through the enormous and remunerative circulation of his works, but he devoted almost all of his considerable wealth to furthering the objects of his mission, and lived to the last with the greatest simplicity and frugality himself. He died in the fulness of years and honor, and surrounded by all that should accompany old age : love, honor and obedience and troops of friends. But the work to which he set his hands has not perished with him. It survives in a *l* that is best and noblest and most enduring in the relations between European and natives in India, and it is with a sense of relief that we sometimes turn from Anglo-India heroes of a very different type—from the stirring yet more transient influences of military conquest and political intrigue—to the calm and classic glory of his fame.

The closing scenes of this noble life are thus pathetically described by his biographer.

The hottest season of the year crept wearily on during the month of May and the first week of June. Each night he slept well, and each day he was moved to his couch in the dining room for air. There he lay, unable to articulate more than a word or two, but expressing by his joyful features union in prayer and interest in conversation. On the 22nd May the English mail arrived with gladdening intelligence from Mr. Hope—God's people were praying and giving anew for the mission. Especially was his own latest station of Cherra-poonjee remembered. As he was told that a lady, anonymously, had offered £500 for that mission, £500 for the college, £500 for the translations, and £100 for the mission generally, he raised his emaciated hands to heaven and murmured his praise to God. When the delirium of departure came, he strove to reach his desk that he might write a letter of thanks, particularly for Cherra. Then he would recall the fact that the little church he at first formed had branched out into six and twenty churches, in which the ordinances of the Gospel were regularly administered, and he would whisper, "What has God wrought !"

The last Sabbath had come—and the last full day. The constant Marshman was with him. "He was scarcely able to articulate, and after a little conversation, I knelt down by the side of his couch and prayed with him.

Finding my mind unexpectedly drawn out to bless God for His goodness, in having preserved him and blessed him in India for above forty years, and made him such an instrument of good to His church; and to entreat that on his being taken home, a double portion of his spirit might rest on those who remained behind; though unable to speak, he testified sufficiently by his countenance how cordially he joined in this prayer. I then asked Mrs. Carey whether she thought he could now see me. She said yes, and to convince me, said, 'Mr. Marshman wishes to know whether you now see him?' He answered so loudly that I could hear him, 'yes, I do,' and shook me most cordially by the hand. I then left him, and my other duties did not permit me to reach him again that day. The next morning, as I was returning home before sunrise, I met our Brethren Mack and Leechman out on their morning ride, when Mack told me that our beloved brother had been rather worse all the night, and that he had just left him very ill. I immediately hastened home, through the college in which he has lived these ten years, and when I reached his room, found that he had just entered into the joy of his Lord—Mrs. Carey, his son Jabez, my son John, and Mrs. Mack being present."

It was Monday the 9th June 1834, at half-past five, as the morning sun was ascending the heavens towards the perfect day. The rain clouds burst and covered the land with gloom next morning when they carried William Carey to the converts' burial ground and made great lamentation. The notice was too short for many to come up from Calcutta in those days. "Mr. Duff, of the Scottish Church, returned a most kind letter." Sir Charles Metcalfe and the Bishop wrote very feelingly in reply. Lady Bentinck sent the Rev. Mr. Fisher to represent the Governor-General and herself, and "a most kind and feeling answer, for she truly loved the venerable man," while she sadly gazed at the mourners as they followed the simple funeral up the right bank of the Hooghli, past the college and the Mission chapel. Mr. Yates, who had taken a loving farewell of the scholar he had been reluctant to succeed, represented the younger brethren; Lacroix, Micaiah Hill, and Gogerly, the London Missionary Society. Corrie and Dealtry do not seem to have reached the spot in time. The Danish Governor, his wife, and the members of Council were there, and the flag drooped half mast high as on the occasion of a Governor's death. The road was lined by the poor Hindoo and Mohammedan, for whom he had done so much. When all, walking in the rain, had reached the open grave, the sun shone out, and Leechman led them in the joyous resurrection hymn, "Why do we mourn departing friends?" "I then addressed the audience," wrote Marshman, "and, contrary to Brother Mack's foretelling that I should never get through it for tears, I did not shed one. Brother Mack was then asked to address the native members, but he, seeing the time so far gone, publicly said he would do so at the village. Brother Robinson then prayed, and weeping—then neither myself nor few besides could refrain." In Jannuggur village chapel in the evening, the Bengali burial hymn was sung, *Paritran Christer Morone*, "Salvation by the death of Christ," and Parān Krishna, the oldest disciple, led his countrymen in prayer. Then Mack spoke to the weeping converts with all the pathos of their own sweet vernacular from the words, "For David, after he had served his own generation by the will of God, fell on sleep." Had not Carey's been a royal career, even that of a king and a priest unto God?

The Rupee. By Col. J. F. Dowden.

THIS pamphlet proposes a solution of the "silver question" which, as far as we are aware, has never been proposed before.

After clearing the ground by stating that the ratio between the values of gold and silver is not fixed and unalterable, it is shown that by the combined action of a *rise* in the value of gold (such as was caused by the adoption of a gold-standard in Germany nine years ago) and of a *fall* in the value of silver (due to the same cause, and to discoveries of new mines) prices have fallen, but exports decreased, in gold-standard countries like England, while prices have risen, but exports increased, in silver-using countries like India: the hardship, in the former case falling upon the holders of mercantile goods, in the latter, upon the receivers of fixed incomes.

All these facts are well known and universally admitted: but it is in the remedy proposed that lies the novel feature of the pamphlet. Colonel Dowden suggests that this consists in the introduction of a silver coinage into Britain: the Indian coinage continuing to be what it is now: in other words, it is monometallism in the new shape of a silver-standard, that is advocated. The inducement offered to the British nation for such a change, is the revival of English trade—more extensive business and larger profits. The fears of the same public that gold might be altogether withdrawn from circulation for the purposes of hoarding, so that a silver coinage would be unequal, single-handed, to meet the vast demand for a circulating medium in such a country like England, are met by the assurance that the moment silver is made the standard, its value will run up, so that, by the judicious adoption of an exchange rate, it will always be possible to maintain the value of gold as legal tender slightly *above* its market value as bullion. This will have the desired effect of preventing any of the gold now in circulation in Britain, from being withdrawn. The only difference being that, instead of being the standard currency as it now is, gold would then become a *token* coinage. Such a judicious exchange rate, it is suggested, might be found in making $12\frac{1}{2}$ Rupees equivalent to the sovereign.

The pamphlet concludes with something having the most lively interest for Indian officials who are paid in fixed salaries in silver. To them the adoption of the proposal would mean the joyful tidings of "no more loss by exchange." But it is to be feared that the Indian government, even now bent upon "retrenchments," will gladly seize upon so fine an opportunity to further "revise" their scale of salaries.

Apart from this consideration, the suggestion of the pamphlet is most interesting, and deserves a fuller consideration than can be accorded it within these limits. We hope shortly to be able to take up the matter at greater length.

*New India.**

MR. MATTHEW ARNOLD has idealised John Bull as a "weary Titan;" and of all the loads, well-nigh not to be borne, of his fate, surely the Empire which he took over from the pushing merchants of Leadenhall Street is, in all respects, the most grievous. And here are two new additions to the burden in the shape of books, of which it is the duty of reviewers to say that they are as well worth the attention of citizens, as if they turned directly upon what are known as "hustings questions." There are two aspects of India which concern us all; and each of these little treatises represents one. The "optimist" deals with the most important, though the least conspicuous side of the matter, as to which there is little or nothing that can be made a party question. Mr. Cotton espouses the cause of the "Babu" class, who desire to see English ascendancy replaced by the ascendancy of English-speaking Bengalis; of whom the adversaries say, that they try to tack on their claims to the charter of modern Liberalism, and to pass off class-selfishness under a counterfeit guise of Patriotism. Consequently, each of these works goes far to be the complement of the other; and those interested in the Indian question may profitably consider them together.

It would, indeed, be hard to imagine two books, written by earnest and intelligent men of the same profession, which present, not only such opposite points of view, but such differences of opinion. But it will be best to leave these out of sight, so far as may be possible, and, whatever we may believe to be the reason of their disagreements, endeavour to appropriate what is profitable in their common teaching.

Reform and Progress appears to be the production of a District-Officer whose sphere of duty lies far up in the interior of the country. It has obvious faults, being unsystematic, deficient in evidence, yet abounding in ambitious and somewhat gratuitous suggestions. The limits of space forbid a minute exposition of these defects: but when we look at the opening "Synopsis," we can form some notion of them. Such schemes as "Honoric distinction for individuals conspicuous in philanthropic work," look very like a weak concession to the egotism of busy-bodies: and "Ladies Secular Mission for the Civilisation of Women of India" comes perilously near to that class of suggestions into which an acute and active mind is led by fear of the reproach of being merely destructive, but which the practical man is apt to call "quackery." Again, such sentences as this must "give us pause:"

* *Reform and Progress in India.* By an Optimist. London 1885. *New India; or India in transition.* By H. J. S. Cotton. London, 1885.

"A very large portion of the expenditure at present necessary on the administration of the country is due to its semi-barbarous condition." Here the writer begs the question of necessity, which as we shall presently find, Mr. Cotton answers in the opposite sense. Indeed, the sentence might be inverted, from the latter author's point of view ; for Mr. Cotton seems to think rather that the semi-barbarous condition of the country is due to the unnecessary expense of the present system of administration. But our "optimist" has administration on the brain ; and tells us plainly that, with the single exception of accounts, every department in India—costly and complicated as most of them are—is in a state of backwardness little advanced beyond infancy. His strongest case is that of the development of Self-government attempted by Lord Ripon. This, he thinks, would have been a failure ; and he is probably right. Self-government had been going on, under different forms suited to different parts of the country, for more than a generation ; and the Ripon scheme would have done nothing for it, except by introducing an unsuitable uniformity, increasing the complexity of administration without any reduction of expense, by calling on the citizens to discharge duties in which officials were paid. But like others of the last Viceroy's schemes, it came to nothing, and needs no more than this passing notice.

Another point, as to which the writer is in conflict with Mr. Cotton, is Tenant-right. "Let it not be said of England," he exclaims, "that she refuses to weak Hindustan what was wrung from her by fear in the case of Ireland," Mr. Cotton, on the other hand, is opposed to the Bengal Tenancy Act ; and urges that recent Indian legislation errs by forcing tenants into a position of hostility towards the landholders which they would not, otherwise, have assumed.

These and other divergencies in which the two books abound are, no doubt, chiefly attributable to the varied experiences of the writers. Nothing, indeed, could better show the vastness and complication of the Indian problem than the difference of the points of view taken by these two members of the same body, both of free minds and liberal aspirations. The "optimist," as has been already said, may be conjectured to be a member of the Civil Service, administering a remote rural district : Mr. Cotton appears on the contrary to survey the country, so to speak, from the point of view of Calcutta. To him the most conspicuous product of India is the Bengali Babu ; and it will be necessary to bear in mind this limitation while studying his charmingly written and most instructive book. A second peculiarity—not perhaps unconnected with the first—is a deficiency of the historical element. In a most interesting chapter Mr. Cotton has replied to the criticism applied by some opponents

of the emancipative policy. That policy, it is urged, leads to the ultimate withdrawal of British sway. Why not? replies Mr. Cotton; British sway is tutorial; when the pupil is mature, the tutor ought to resign his office. But he does not seem to notice what modification of this general truth is taught by Indian History.

History shows that there is something in the vital conditions of India that tends to promote degeneration. In the remote past it finds the dim record of an invasion from Central Asia. A white race is shown to have come into Northern India and to have spread slowly Eastward, bringing germs of social, religious, and political progress. These took root, but in an ungenial soil; and the consequent civilisation gradually deteriorated until fresh elements of vigour were infused by the Greeks, the Scythians, and the earlier Muslim conquerors. After a time the influence of all these waned in succession; and then came the Mughols, a new race with some new ideas, who founded a considerable empire. But this also decayed, and its ultimate collapse was followed by the anarchy of the last century. Lastly, the British have appeared, and have given a fresh impulse, of which the result can only be conjectured. Here is evidently an important datum for the political speculator; namely, that, while every movement in India has been started by aliens acting as masters, each of these foreign bodies has in turn yielded to the enervating action of the surroundings, and each movement has subsided into stagnation as its originators have become naturalised.

Naturalised the British will not be; but would not their departure be followed by a like process? If so, the ideal of educating the races of India, and then leaving them to conduct their own affairs, must be modified by a practical caution. The time at which the "United States of India" will be complete in strength, wisdom and moderation; able to keep the peace among themselves and ward off or repel foreign invasion; may be found to be too remote for serious consideration. In the meantime, *il faut cultiver notre jardin*. What it imports the British citizen to provide is, that the populations of India should learn to look to the British nation, rather than to any political party, and that the British nation, should show them that one party is as well disposed towards them as another. What they are entitled to demand is, to put it briefly, that we should adopt an attitude towards them of hopeful, patient, vigilance; laying down a few sound principles, choosing the best men to apply those principles, leaving those men a free hand in the execution of measures of detail. Mr. Cotton is perhaps sanguine when he demands of us that questions of rights should yield to questions of duties. Even the Gospel, with its counsels of

perfection, has not required of men to love their neighbours better than themselves ; and Englishmen will probably have enough to do to realise even that more modest ideal in regard to India. With regard to the men to be employed, both our authors give sound advice, though (as usual) differing somewhat in particulars. The truth appears to be that natives will have to be employed much more largely in all subordinate capacities, military as well as civil. But then increasing care should be taken in the choice of the few Europeans who will still be required for positions of control. Lord Salisbury long ago remarked that the Indian services had generated many good administrators, but few statesmen. And it may be added that the Viceroy and Secretaries of State have not been exempt from this rule. The one idea at the bottom of all Simla statesmanship is, reports, tabular statements, in a word, administration. But this may be no more than a transient error arising out of the difficulty of shaking off old traditions. What is certain is, that the local government of India is, mainly, unselfish and free from party ties, those bonds which work so much mischief in England. Then there is statesmanship, but not over much administration ; in India the latter element prevails, and is far in excess of either the requirements of the people or their means. When once that is realised, improvement will, no doubt, set in ; and public men, of all shades in English politics, have reason to be thankful to the writers of these fresh and bold little books for indicating the lines on which it must proceed.

The Literature of Egypt and the Soudan. Prince Ibrahim-Hilmy. London. Trübner & Co., Ludgate Hill. 1886.

THIS important work is published, for the sake of clearness, in a dictionary form, and we feel sure that it is now, and will for a long time continue, the very best existing book of reference on the subject which it treats of. Prince Ibrahim in addition to being an ardent patriot, describes himself "as an Egyptian" of the Egyptians, is a most accomplished scholar, and he has done admirable service to the cause of history and philosophy, in rescuing from oblivion the perishing records of an ancient and valuable literature.

Holiday Fancies. By Dora, V. G. Ætat 12 years. Cheltenham : Edwards, Typ., 896, High Street, Publishers.

THIS little volume of verse is the production of a young lady who is still living among those "childhood's happy scenes," the retrospective charms of which have inspired countless generations of poets in the past, and will doubtless inspire

countless generation in the future as well. The distinctive value of this volume lies in the fact that it presents us with a record of contemporary observations in lieu of retrospective impressions. The young lady, not very many months older than when she wrote *Holiday Fancies*, is still living amidst the scenes and people which she has attempted to describe. Many of us "here in India" have beloved little ones at school in England, and many of us are engaged in the process of watching, with the aid and through the medium of the weekly mail, the development of our little forerunners, and for all such, this delightful little book will, we are sure, possess an irresistible charm. We commence with the description which the young lady gives of her schoolmistress, and in connection with this declination are two things to be prayed for, first, that this portrait contains some fancy touches, introduced to heighten the artistic effect of the picture, and secondly that the subject of the sketch will never have an opportunity of seeing, even "as in a glass darkly," the most unflattering reflection of herself:—

The Ladies' College.

Oh ! the College is a place,
 If a single girl wears lace,
 Miss Prue she comes and pulls at it,
 And takes it off with brows all knit.
 And now she's in a horrid rage,
 Like a lion in a cage,
 And thumps that girl, and thumps her hard,
 And bangs her like she would a card.
 If she should catch sight,
 Of a bracelet shining bright,
 On a fat girl's arm,
 She'd think that there was harm,
 Harm in that simple thing,
 And she'd take it off and fling,
 And fling it right away,
 There to stay all day.
 If your hair is hanging down,
 And just does touch your gown,
 She'd give a spring and bound,
 And turn it up all round.
 If she sees a boy
 It does her annoy,
 And that's what prim Miss Prue does do,
 A primmer dame I never knew.

In a spirited piece of metrical invective in another poem, our little authoress is much exercised "by the girls that live over the way," and this is what she has to tell us about them:—

The Girls that live over the way.

(*Paigntion*).

Oh those girls that live over the way.
 They did nothing but flirt the livelong day.

With every young man that went past,
Out came these girls so fast.
Or out of the windows they popped their heads
To talk to all the Toms, Dicks, Harrys, and Neds,
They out of their windows did shout
To all the young men that went out.
And if a step they heard
Come creeping like a bird,
Then back again their heads they took,
And pretended to be busily reading a book.
And when the step had gone,
All three did sing a song ;
A song of very gladness,
But they never thought of their badness.
And the next young man they did see,
They all to the window did flee,
To talk to him the whole day long,
And sing him a lively, lively song.
And that's what those three girls did do,
Worse behaved girls I never knew ;
They do it the whole day long,
And never think that it is wrong.

The dancing mistress is hit off in a few powerful strokes :—

Miss Troistemps.

Miss Troistemps she walks and walks,
Miss Troistemps she talks and talks ;
She says, " O, point your toes a little more,
And make them lightly touch the floor."
" And now the polka we will dance,
And do not you like ponies prance ;
Watts, come and bow to that sweet girl,
The one who has that pretty curl."
" Dickson, you may your partner choose,
But mind, there is no time to lose ;
Who is it that's just tumbles down,
Is it you again, Tom Brown ?"
" And now upon the chair do stand,
And out of your pocket take your hand ;
And now I think we'll make a bow,
Oh, Crombie ! you bow like a cow."
" And now, young gentlemen, your hats,
And Manley, don't you stand like that ;
And next week you all must come again,
Wet, fine, snow, wind, or rain."

And with this final extract from the more characteristic samples of our little friends literary work, we take leave of her for the present.

VERNACULAR LITERATURE.

Inlande Banga Mahilá. By a Bengali Lady. Printed by J. N. Banerji and Son at the Banerji Press, 119 Old Baitak'khana Bazar Road, and published by Satyaprasad Sarbadhikári, Bowbazar, Calcutta, 1885.

IN this book we have a fuller description of England and the English people than we have in any other book of the kind written by a Bengali lady or gentleman who has seen England. And, of all the Bengali ladies who have up to this time visited England, the writer of the present work is, perhaps, the only one who has given us a written account of her travels. The authoress has, apparently, seen English life in many forms, and examined the manners, customs and institutions of the English people critically and with a view to gather instruction for herself and her countrymen. She has learnt to admire the English people in many respects, and it is significant that she seems to think the English system of marriage and domestic life better, on the whole, than the marriage and domestic system of her own country. She says:—

“Neither Englishmen nor Englishwomen marry except at their own free will and pleasure, and English parents do not make their children's lives thorny by forcing them to marry against their will. . . . Young men and young women in England inform their parents of their desire to marry after they have agreed amongst themselves that they shall marry. Their parents do not, as a rule, oppose their desire; they rather give them their consent. As English children marry in advanced years and after a full examination of their circumstances, and with a thorough understanding of what would be good or bad for them, why should not their parents give them their consent?

. . . When everything seems convenient, a day is fixed for the marriage, and the parties prepare to enter into domestic life. Englishmen also prize pure love very highly, and regard it as a holy tie between one human life and another. Want of conjugal fidelity finds no favor among them and even the men of England abhor it as a grave sin.”

Again:—

“It was my belief at one time, that the affection of parents for their children is not very strong among Englishmen. It is true that they do not live together as one family and profess to be affectionate to foreigners; but I do not now believe that there is no parental or filial or other domestic affection among them. So long as their children do not learn to take care of themselves, and so long as their children are not fit to have families of their own, so long English parents take great care

of their children and do their utmost to enable them to live in independence. It seems to me that in this stage of their life children are treated with greater care and affection by English than by Indian parents. When English boys and girls grow up, they live in separate houses instead of as burdens on their parents, and thus intimacy is diminished between parents and children. But their mutual love and relationship are not therefore destroyed. They meet each other and dine together whenever they wish to do so. In this country domestic quarrels are not so common as they are in ours, and good feeling therefore exists between parents and children, brothers and sisters, almost throughout their lives. Among Hindus the affection of parents for their children seems to be greater, and at times inordinately strong. But Hindu parents do not very often behave properly towards their children; and terrible domestic quarrels, like those that are from time to time heard of in India, are rare in England. . . . English parents think it no humiliation to guide themselves by the advice of their grown up sons and daughters. English children, too, do not quake and quail before tyrannical parents, or hate them if they are ill-educated or unwise. They always treat them with due respect. If English parents do anything wrong, and their sons or daughters try to correct them by advice or remonstrance, they do not feel offended, but calmly consider what their children tell them, and act accordingly. Who that sees parents and children behaving in this way to each other, can help concluding that English domestic life must be happy?

The manner in which brothers and sisters behave to each other is entirely different in this country from what it is in ours. From childhood brothers and sisters are brought up together and in the same manner. Brothers do not from their childhood learn to hate their sisters as their inferiors on account of their being women or on any other account. As they grow up their love for each other increases. English parents take equal care about the education of their sons and daughters and view them with equal eyes, and do not regard them differently because the son is their heir and an acquirer of wealth and the daughter a dweller in a different family. For this reason the minds of brothers and sisters are from the very childhood of both, intent upon each other's welfare, and, however advanced in years, they talk, read, walk about and play together. Quarrels and disagreements seldom occur among brothers and sisters in this country. Love between brothers and sisters is not confined to their unmarried state; even after their marriage they love each other as they loved before it. It is true they become involved in their own family affairs, but whenever they find time they see each other

and receive each other with the utmost cordiality, and show deep affection and fondness for each other."

But though an admirer of English domestic life, the authoress is a patriotic Hindu lady who will not suffer her countrymen to become Anglicised, but would be happy to see them bettering themselves by the example of others. The lady who makes the following lines of Hem Chandra her motto, cannot be false to her country :—

‘বাজয়ে শিক্ষা বাজ এই রবে,

সবাই স্বাধীন এ বিপুল ভবে,

সবাই জাগ্রত মানের গৌরবে,

ভারত হুইয়ে যুগ্মে রয়।’

In describing the character of the English people, the fair writer has pointed out many good and many bad trait. We think our European readers would be more interested to know what she has said about the bad side of the English character than about its good side. So we will extract a few short passages bearing on the bad side :—

“The English people worship self-interest always and everywhere. In everything they seek self-interest, and their principal object in life is to promote self-interest, no matter by what means. Englishmen do not put their hand into anything without a desire to promote their own good, and there is nothing which they will not venture to do in order to accomplish their selfish ends. It is their belief that all the countries and nations of the world were created to minister to their wants and selfish desires. These greedy Englishmen cannot bear the idea of any other people enjoying their own proper share, or going into shares with them. They are not satisfied with being wealthier than other nations—they crave to have everything themselves.

“Money is the principal god worshipped by Englishmen. How fond they are of money, and how madly they run about for money, can be easily known by a short residence in England. They have cast nets in all countries to gather money, and wherever they smell money they rush thither like the carrion-loving adjutant. In making money they care not for virtue or vice. Even if they make money by wrongful means in a foreign country, they feel no compunction or self-reproach. Not to speak of India, what have not they done to make money in other countries? How much money have they spent, and how much blood have they shed in order to force opium upon the unfortunate Chinese! And

having made that innocent people swallow so much poison, they feel not the slightest mental pang! Such is the despotic hold of the demon-of-wealth upon the English people! India, China, Germany, France, all countries respect learning and intelligence more; in England, money is all in all. In our country, a poor but learned Brahmin is honoured even by a Rajah, and a Maharajah feels no humiliation in rising from his throne and bowing with his cloth round his neck as soon as he sees a Brahmin. But in this country, however learned and intelligent a man may be, people will turn away from him and honour a worthless but wealthy man. What wonder that with money so much in the ascendant in this country, educated people, too, should be actuated by greed of gold?

“Again, it is money of which Englishmen are so proud. An extensive empire and immense wealth have filled their minds with maddening pride. They think that the entire world lies low at their feet, and all other nations are inferior to them. It is the firm belief of Englishmen that they are at the head of all civilised nations and superior to all others in power, learning, intelligence, &c. If any other nation differ from them in any respect, they evince the utmost contempt for them. France, Germany and other countries are in no degree inferior to England in civilisation, and the French or Germans are by no means inferior to Englishmen in learning, in intelligence, in spirit and prowess; on the contrary, they are superior to Englishmen in many respects. Still the proud Englishmen express contempt for the different manners, customs, usages, &c., of those nations. When traveling in continental countries, these Englishmen talk haughtily, with foreigners out of contempt for them, and take care to impress them with a sense of their own superiority. Towards foreigners in their own country, they assume a very grave appearance and indulge in tall talk. To ordinary Englishmen, foreigners are simply an eyesore. It is their desire that they should go to all countries, and bring home whatever they find there, but that no foreigners should come and settle in their own country.

“None need wonder that persons belonging to this nation should regard everything in our country as contemptible and treat us as beasts. It is the blood of India that has enabled England to acquire such huge dimensions, and it is India for which Englishmen are staggering with pride. People are found to go to extreme lengths just before they fall. It was pride of this kind that caused the decline and fall of the Roman Empire, and it was pride of this kind that humbled France in an unjust war, only a few years ago, at the feet of Germany.

"There are no distinctions of caste among Englishmen as there are among Hindus; but class distinctions of a fearful nature are found here. These class distinctions do not arise out of religion: their one and only source is money. The lords never marry their children to the children of common people. Rich men can never venture, from fear of social degradation, to marry their sons and daughters to poor people. Considering the great hatred which people in the higher ranks of society feel for the poor, caste distinctions in our country sometimes seem to be better than these class distinctions. In this country, a dunce who happens to be rich thinks himself a very great man and hates a poor but learned man. In this country a man with an income of Rs. 500 a month hates a man whose monthly earning is only Rs. 300; and a man worth Rs. 10 thinks himself a great man, and refuses to talk with a man worth Rs. 8.

"These class distinctions produce various mischiefs in this country. Ordinary people, instead of bestowing a thought upon the wretched poor, only go about flattering the lords and the wealthy people. Highly placed people are busy about what concerns themselves only and seldom cast a glance upon the poor. It is for this contempt of highly placed Englishmen that the common people cannot, in spite of so many facilities, acquire knowledge and refinement. The common people cannot in all their lives mix with gentlemen, and that is why they do not know what is meant by gentlemanly conduct. It is as hateful and pitiable to see uneducated people in this country as it is pleasing to see people who are educated. It is a pity that, although living in the midst of so much civilisation, these common people live in a condition so mean, on account of these class distinctions, and it is hateful to see them behaving so loathsomely and unable to respect themselves and others. In our country we only hear of rich men and poor men; but in England we often hear of *gentlemen* and *vulgar men*. Constituted as society is in this country, people without riches must find it hard to maintain themselves. Without money it is impossible to be recognised as a gentleman, or to mix with gentlemen in this country. Many respectable but poor people are forced, in accordance with English custom and practice, to fall into the society of low people, and, by residing long among them, lose all the estimable traits in their character and ultimately acquire the low disposition of their companions. There are not in any other country men so heartless, so hard-hearted and so vulgar as are the low-class people of this country. Their disposition is like that of ferocious and unruly beasts.

"Few of the softer virtues—affection, kindness, humility, benevolence, &c., are found in the breasts of Englishmen. Their

hearts seem to be hard as stone. Words cannot beguile them, and the sorrows and sufferings of others do not soon melt their hearts. Ordinary Englishmen are not much moved by the distress of their own relations. They usually oppress the weak, and do not sympathise with those who are unfortunate. They do nothing against those who exhibit valour and spirit, and ride roughshod over those who are gentle or weak. Many of them are of a canine disposition. If they hit you, and you show them a meek face, you are done for; but if you pursue them, or hold up your cudgel in return, they will bend their heads and run away from you. Thriftlessness and intemperance are two serious English faults. . . .

"Many hypocrites are found among this people. Very often they have one thing in their minds and another thing in their mouths. Their gentlemanly behaviour is often only external and not sincere. Shopkeepers and traders will charm you with sweet words; but those sweet words come not from their hearts, but are used only for money. Many behave liberally towards foreigners, but that is mere show and appearance. This commercial courtesy you will find in all classes of English society.

. . . These Englishmen do everything, but feign not to know anything. As they think themselves purified after dinner by only rubbing with a piece of cloth the outer part of their mouths, so when they defile their hearts, they exhibit themselves as perfectly pure and sinless by assuming a grave and unconcerned appearance."

We are not in a position to speak to the accuracy of all that the authoress has said here. We will only say in this connection, that she has described not only the faults and failings but also the merits and excellences of the English people; that her book seems written throughout in a spirit of judicial candour, calmness and fairness; and that, above all, she has not evinced anywhere any undue partiality for her own country, countrymen or countrywomen. As a lady writer we may be justly proud of her; for she writes like a woman of culture—in a simple, earnest and graceful style. And she writes like one who thinks and feels. Her book is therefore a precious addition to Bengali literature. It is also the best book of its kind in the Bengali language.

Náná Prabandha. By Raj Krishna Mukhopádhya, M.A., B.L. Printed by Jadu Nath Sil, at the Hare Press, 55 Amherst Street, and published by the Sanskrit Press Depository, 148, Baranasi Ghosh's Street. Calcutta, 1885.

STRICTLY speaking this is not Babu Raj Krishna Mukharji's latest work, for it is only a reprint of a number of

essays contributed by him to the *Banga Darsana*. Babu Raj Krishna's Bengali translation of the *Meghaduta* is his latest work. But though not last, the work under notice is really one of his best works. It consists of fifteen essays on the following subjects:—The Greatness of India, Bidyápati, Debattattwa, Historical Errors, Chárbák Philosophy, Sriharsa, Ancient India, Cause and Effect, the Origin of Language, Genius, the Philosophy of Comte, Civilisation, Sociology, Man and the External World, and Knowledge and Morality. The amount of information contained in these essays is really very large. There are, indeed, few books in the Bengali language in which so much information can be found. Babu Raj Krishna Mukharji is a man of vast and varied reading, and anything that he writes is sure to contain evidence of his distinguishing character as a writer and scholar. He does not spend words in rhapsodies or sentimental outbursts. He may be anything but he is not sentimental. He loves to learn facts and to deal with facts alone. If he is sentimental anywhere he is sentimental only to the extent that facts will allow him to be such. All the essays in this collection present us, therefore, with a solid mass of facts and a wall of reasoning composed, every bit of it, of fact and theory of the nature of fact, such as we do not meet with in any other Bengali book, excepting only a very few, perhaps not more than three or four. The collection is, indeed, a work of the most substantial kind, a work which could be produced only by able, industrious and accurate scholarship. Almost every paper in the collection is worthy of its learned author for the information contained in it, for the tone of moderation and impassiveness in which it is written, for the intellectual grasp displayed in it. The paper on Bidyápati has been already recognised by eminent antiquarians, Indian and European, as a really valuable and original contribution to antiquarian literature, and together with the paper on Sriharsa and some others in the collection, exhibits the author in the very favorable light of a scholar of keen antiquarian instincts. In praising the author so highly we do not mean to say that we agree with all that he has written. No, we differ from him on a few points, and consider one or two of his papers capable of improvement. We have, however, neither time nor space to explain every point on which we differ from him or to state the grounds of our difference. We will refer only to one. In refuting Mr. Buckle's proposition that knowledge and not morality is the principal factor of civilisation, because moral science does not grow so much as physical knowledge, Babu Raj Krishna Mukharji very rightly contends that man's moral knowledge does grow enormously, and that in judging how far morality is involved in the

progress of civilisation, we should not merely see how much moral knowledge grows, but how far man's life is influenced by that knowledge. The highest moral truths now known to man may have been known to a great man in a remote age of the world, and man's moral knowledge may not have therefore undergone much improvement during long ages. But if human life in later ages can be proved to have conformed better to those moral truths than human life in earlier ages, who shall say that man has made no moral progress in the course of the ages, and that man's moral condition is as stationary as his moral knowledge is fixed and unimprovable? To explain this negatively, Babu Raj Krishna argues as follows :—

“It is nearly one thousand years that Christianity is prevailing in Europe. But what portion of the population of Europe know the fundamental truths of Christianity, and how many among those that know the truths act up to them? If the Europeans had thoroughly understood the teachings of Christ and regulated their lives in the light thereof, they would now have been almost godlike. They would not then have endeavoured to rob the independence of others, nor become slaves of gold and of the pleasures of the senses. The flames of war would not then have lighted up the most civilised division of the globe, human blood would not have been shed, countries would not have been plundered and burnt to ashes.”

We fully agree. The enunciation of a moral truth by one man does not imply its knowledge or appreciation by all men ; nor is the knowledge of a moral truth equivalent to its realisation in practical life. Buckle's proposition is therefore theoretically wrong ; but it is, we are afraid, practically right from the European stand point. According to European notions the progress of civilisation consists more in the advancement of the material conditions of life and of the material resources of man than in the growth of the moral life of man. At any rate they are apt to overlook the moral element, and confine their attention solely to the material element. That is why the learned Hindu, who possesses a saintly character, is versed in all the *Sastras* of his country, is able to discuss the highest and most intricate questions in religion and philosophy, and who is a model of benevolence and self-sacrifice, is regarded by Englishmen as a barbarian simply because he wears no boots, coats, and pantaloons, lives in a hut, sits on a rush mat, and reads in the light of an earthen *chirdg*. And that is why the most ignorant European, steeped in the vices of drunkenness and debauchery and cheating and gambling, is considered by Englishmen to be civilised, because he wears hats, coats, boots and pantaloons, and lives not in huts, but in houses furnished with glassware and chairs, tables and looking-glasses. Practically, therefore, Buckle is right ; and

it is perhaps in the practical European sense that the great historian meant to say that knowledge and not morality is the principal factor of civilisation. Babu Raj Krishna Mukharji should have taken note of the fatal difference between theory and practice in Europe, as he would then have found little reason to differ from the great historian of human civilisation. We wish, however, for the sake of this poor country, now so much at the mercy of practical Europe, that papers like Babu Raj Krishna's *Jñāna-O-Niti* (in which Buckle's formula of civilisation is disputed) were more often written by Bengali scholars and given to Indian schoolboys to read and to *digest*.

Saraswatakunja. By Chandra Shekhara Mukhopādhyāya. Printed and published by Romesh Chandra Dās, at the Bangabasi Steam Press, 34-1 Kalutola Street. Calcutta, 1292 B. S.

BABU CHANDRA SHEKHARA is a fine man of letters—a keen, clever and refined *belle lettres* man. A fine critical spirit is displayed in some of the papers in this volume. There is no sting in the criticism. The criticism is soft and sweet. It is nevertheless sound. The critic's moral sympathies are of the purest kind, and that is why he has been able to make his critiques on Ram Basu and Rasasāgara so sweet and attractive. We wish there were a few more critiques of that kind illustrating the culture and literary tastes of the generation of Bengalis who have just passed away. There is evidence of reading and scholarship in the whole book; but it is evidence not of a crushing, but only of a suggestive kind. The cast of the book is throughout elegant, witty and sprightly. Babu Chandra Shekhara's learning is attired in a gay garb. It nowhere tires or repels the reader. That is a great thing in literature, for without it, literature becomes very painful, if not absolutely useless. Babu Chandra Shekhara is a model Bengali writer—decidedly one of the small band at whose head stands Babu Bainkim Chandra Chatterji. But Babu Chandra Shekhara has some characteristic peculiarities. His style and manner have a frisky flavor, which is very delicious. As a social thinker, our author will not perhaps gain the good will of our European readers. We will nevertheless introduce him to them in the following extract:—

“And then her own sufferings. The life of the Hindu widow is a life of suffering. In eating, in dealing with others, in the practice of religion, the life of the Hindu widow is a life of suffering. Again, the Beautiful passes away, but the passion for Beauty does not; the object of love goes out of sight, but the desire to love does not leave the heart; the fire of anguish

in the heart consequently goes on burning for ever. Again, to add suffering to suffering, the code of modesty is so severe for woman, that the mouth must not express how much the mind suffers, even though the heart should burst. The anguish of the heart, is kept hidden in the heart, the sufferings of the mind, the mind alone knows; the unseen sigh dies away unseen, the tear-drops in the eye dry away in the eye,—I say again, the life of the Hindu widow is a life of great suffering. This dire suffering is inextinguishable, for the Hindu damsel's widowhood is unalterable. The widow's sufferings cannot end except she die. That medicine should be prescribed in a disease which alone can put an end to it. To die is best for the widow."

And the author argues at length, and from the standpoint of morality and utility and what not, and comes to the conclusion that Lord William Bentinck was wrong in abolishing *Sati*. For the only effect of that measure has been, that whereas widows formerly burnt themselves only one day, they have now to burn all their lives—formerly they could burn themselves and die, now they are allowed to burn, but not to die. We will not discuss Babu Chandra Shekhara's opinion on this subject, as it will be now practically of no use to do so. We will not also discuss his views on other subjects, although there are points on which he and we differ. The space at our disposal is exhausted, and we take leave of Babu Chandra Shekhara in the hope that he will soon present us with another good and delightful book like this, and so make another addition to the charms of his country's literature. It is a pity he writes so little and at such long intervals. We want to see him oftener, and trust that his natural courtesy, at least, will induce him to comply with our request.

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No man who hath tasted learning but will confess the many ways of profiting by those who, not contented with stale receipts, are able to manage and set forth new positions to the world: and, were they but as the dust and cinders of our feet, so long as in that notion they may yet serve to polish and brighten the armoury of truth, even for that respect they were not utterly to be cast away.—MILTON.

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THE CALCUTTA REVIEW.

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ART. I.—THE RUSSIANS IN ORIENTAL LITERATURE.

THE name and fame of the Russian nation has for ages past been universally diffused among the Muhammadan peoples in the East. That this should now be the case would excite no surprise : for since the last hundred years, the iron hand of the Muscovite has been laid heavily with an ever-increasing pressure on Turk, Persian and Tartar along the whole length of the receding northern frontiers of the Dâr-ul-Islâm. But we find the same familiarity with the power and prestige of the Russian existing among all the Musalman nations before a single newspaper had ever been printed in Urdu or Persian, and in times when far-off and semi-barbarous Muscovy was hardly reckoned as a European State, or was, at all events, only classed as a fourth-rate Power. The Muhammadans of India who had never heard of Germany, and who supposed England and France to be new States which had entered upon their national existence but yesterday, spoke of the "Rûs" as a "Qadîm Daulat," co-eval with the ancient and mighty monarchy of Rûm. This opinion of the early greatness of Russia was certainly not based upon authentic history. Of the subjugation of the Russian nation to the Mogul and Musalman yoke, of it's political resurrection, of it's struggles and triumphs over the Tartars of Kazan and Astrachan, nobody knew anything. Of contemporary history, only so much was known, that Russia was frequently engaged in warfare with the conterminous empire of Rûm (Turkey). But their idea of the antiquity and prowess of the Russian nation was no doubt owing principally, if not entirely, to the important place assigned to it in one of the great epic poems

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of legend and fable, based on a slender substratum of fact, which do duty as authentic history among Musalman nations. Into the source of this legend of the Ancient Russians we propose here to enquire.

Before entering on our subject, we may as well say a few words on the general character of the class of works to which we draw attention. The founder of the Persian epic school was Firdúsi of Túis, who flourished at the Court of King Mahmúd of Ghazni in the tenth century of the Christian era. There had been a great revival of the Persian language and literature, as well as of the national spirit, occurring upon the decadence of the Arab conquerors who had, for three hundred years, lorded it in the land.

It was eagerly sought to resuscitate the forgotten glories of the Kaianian and Sassanian dynasties from the oblivion under which they had been buried by the occupation of the victorious Arabs. Shah Mahmúd commissioned Firdúsi to write a connected history of the kings who had sat on the throne of Persia since the first establishment of the ancient kingdom of Irán, and Firdúsi accordingly wrote the *Sháh Náma*, or History of the Kings, an epic poem containing about eighty thousand couplets, and narrating the exploits of the ancient heroes of Irán as preserved by tradition, the conquests of Alexander the Great, the rise and course of the Sassanian dynasty, and their overthrow by the Muhammadan Arabs. One chief peculiarity of the work is that it is written in pure Persian without any admixture of Arabic words. The principal part of the book, about three quarters of it, is occupied with the history of the Kaianian dynasty, who figure in Greek contemporary history as the successors of Cyrus, and the exploits of the Persian national hero, Rustam, the Achilles of this Iránian Iliad. Firdúsi apparently collected his materials from popular tradition, and in his stories of the early kings, it is only here and there that the slightest correspondence with the account given of them, by Thucydides and other contemporary Greek writers, can be traced. The King Hashtasp of the Persian may be easily identified as the Hystaspes of the Greek: and Ardeshir Dirázdest is unmistakably Artaxerxes Longimanus: but the resemblance extends no further than the names. The fact is, that as history, the poem of Firdúsi is absolutely valueless. Wherever legend and tradition failed him, he has resorted to pure invention: as in filling up the entire gap in Persian history between the overthrow of the Monarchy of Irán by Alexander and its resuscitation by Ardeshir Bábekan in the year 220 A. D. Sir William Jones and some other distinguished members of the early school of English Orientalists, which then flourished with a

promise that has not been since fulfilled, endeavoured to authenticate the fables of Firdúsi and his followers at the expense of the Greek historians, and produced some ingenious arguments in support of the fallibility of the knowledge of Persian affairs possessed by the latter : but they certainly did not succeed in proving the possession of any superior sources of information by Firdúsi and his imitators. The *Sháh Nama* contains a short account of the world-conquests of Iskandar or Sikandar (Alexander the Great) "ar Rumi," "the Roman:" for as Greece formed part of the Roman Empire at the rise of the Islam, the ancient Greeks and Romans are always confounded as one nation in the ideas and writings of the Musalmáns. King Filikús who reigns in Makdunuja (Macedonia) has married a daughter of the Shah in Sháh of Persia, and pays tribute to him as all the kings of Rúm have done before him. His son and successor Sikandar refuses to pay the tribute, and incensed at the demand of it by King Dárá (Darius), and allured by the reports of the unpopularity of the latter caused by his tyranny and avarice, he invades his country and overcomes him, then successively conquers Egypt, India, China and the nations of the North. Sikandar is described as a servant of the Most High God, as gifted with prophecy, and as an incarnation of every human virtue. This view of his character appears to have arisen from the mention made of him in a chapter of the Koran under the name of Dhul-Karnain, "the Two-horned." But long afterwards, when the Muhammadans had learned from their intercourse with Greeks and Europeans, that Alexander the Great was not exactly all that their fancy painted him, rather than confess that they were in the wrong as to the character of their hero, they discovered, with their usual faculty of inventing history to suit their requirements, that there had been two Alexanders the Great, who conquered the world at different times : Iskandar ar Rumi, Alexander the Roman (or Greek), and Iskandar Dhul Karnain, Alexander the two-horned, who is the one mentioned in the Korán.

The following is the mention of Dhul Karnain or Zul Karnain in the chapter of the Korán entitled "the cave."

"The Jews will ask then concerning Dhul-Karnain. *Answer.* I will rehearse unto you an account of him. We made him powerful in the earth and we gave him means to do everything. And he followed the way, till he came to the place where the sun setteth : and he found it to set in a spring of black mud : and he found near the same a certain people. And we said, O Dhul Karnain, either punish this people or use gentleness to them. He answered whosoever shall commit injustice, him we will surely punish ; afterwards he shall return unto his Lord and he shall punish him with a severe punishment. But whosoever

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believeth and doeth that which is right, shall receive the most excellent reward, and we will give him in command that which is easy. Then he continued his way until he came to the place where the sun riseth. He found it to rise on certain people unto whom we had not given any thing to shelter themselves therefrom. Thus it was; and we comprehended with our knowledge those who were with him. And he journeyed till he came between the two mountains: beneath which he found certain people who could scarce understand what was said. They said Oh Dhul Karnain, verily Gog and Magog (Yájúj o Májúj) waste the land: shall we therefore pay thee tribute, on condition that thou build a rampart between us and them? He answered, That wherewith my Lord has strengthened me is better; but assist me strenuously, and I will set a strong wall between you and them. Bring me iron in large pieces until it fill up the space between the two sides. And he said, Blow until it become as fire: and he said, Bring me molten brass, that I may pour upon it.

Wherefore they could not scale it nor could they dig through it. Dhul Karnain said, This is a mercy from my Lord; but when the prediction of my Lord shall come to pass, he shall reduce it to dust; and the prediction of my Lord is true. On that day we will suffer some of them to press tumultuously like waves on others; and the trumpet shall be sounded and we will gather them in a body together."

The Prophet then goes on to speak in general terms of the Day of Resurrection and Judgment, and tells us no more about Dhul Karnain. All the Musalman commentators agree that Dhul Karnain means Alexander the Great: but those who know that Alexander was a pagan and a drunkard, pretend that Dhul Karnain was another and a greater Alexander who lived in pre-historic times. All Musalmans believe in the existence of the Sad-i-Sikandar or Wall of Alexander which they now place in the remotest north: probably some traveller's tale of the Great Wall of China was the origin of the Prophet's inspiration; or he may have heard of some ancient fortifications at Derbend, near the Caucasus, which the Turks now call Demir Kapú (the Iron Gate). Ibn Khálidún, the Moorish geographer, speaks of the wall built by Alexander the Great in the extreme north to keep out the hordes of Gog and Magog; and observes "the only authentic notice of this work is that contained in the Koran."

It is, at all events, certain that all the older Musalman historians identify the Dhul Karnain of the Holy Book with Alexander the Great or Iskandar ar Rumi (the Roman or Grecian) who overthrew the old Persian monarchy and the

Kaianian dynasty : and though their accounts of him and his exploits materially differ, the version most generally, and indeed, almost universally accepted, is that contained in the famous and widely known epic poem by Nizámi, entitled the *Sikandar Náma*, or History of Alexander. The Persian poet Abu Muhammad Bin Yusuf Bin Mu'íd, entitled Shekh Nizám-ud-Din, who published his poems under the Takhallus or *nom de plume* of Nizámi. was born at Ganja,* in Persian Armenia, in the twelfth century of our Christian era : the time of the Crusades. He is principally known by his five poems, called by the Persians the Panj Ganj, or five treasures : namely, the Treasury of secrets, the loves of Khusrau and Shirin, and of Majnún and Laili, the Haft Paikar or Seven Statues, and the last composed and most celebrated of all, the *Sikandar Náma*, or History of Alexander, an epic poem in the same metre (*Bahr-i-Mutaqárib*, as the Shah Náma of Firdúsi, and whose account of Alexander the Great, Nizámi has generally followed, though going much more into detail in his accounts of the wanderings and exploits of the hero.

These epic poems of Firdúsi and Nizámi were, until quite lately—when Western learning has begun in some degree to filter into the dense ignorance of Islam—universally accepted as authentic history by Muhammadans of all countries where the Persian language was studied. They bear to authentic history in reality just the same relation as the fabled history of King Arthur and his Knights of the Round Table bears to the real life of that British monarch and his Celtic followers. And just as the European romancers of the middle ages represented their legendary heroes, whether Alexanders or Arthurs or Saint Georges, as knights-errant of their own times, so Firdúsi and Nizámi and their imitators have simply taken for their stage and their characters the world and the people that they saw around them, without troubling themselves to enquire into the manners and customs of a bygone age or of foreign nations. All the various nations of whom the Sháh Náma treats are, in their habits and manner of speaking, the same as the Persians who are it's heroes, and these Persians are the men of Firdúsi's own time, only endowed with abnormal strength and courage. It is the same with Nizámi : his Greeks are undistinguishable from his Persians, his Indians, and his Chinese, and his Alexander is an oriental sovereign, presiding in a Court like that of Sultán Kizil Arslán, or Saladin. The world which Alexander conquers is divided politically as it existed in Nizámi's own time ; and the Northern nations against whom Iskandar makes his last and most arduous

* Now the Elizabetpol of the Russians.

6 *The Russians in Oriental Literature.*

campaign, are the Balghár (Bulgarians) the Sakáliba (Sclavonians) the Rúš (Russians) the Khazars (called by Christian historians Avars), the Alans and others, who though, as is needless to say, quite unknown to the Greeks of Alexander the Great's time, were famous and flourishing at the time that Nizámi wrote. In his time the young and rising Russian nation was rapidly emerging from the barbarism into which it was again trampled down, less than fifty years later, by the Mogul horse-hoofs of Bátu Khán and his Golden Horde. Hence he has made the subjugation of the Russian nation one of the principal exploits of his imaginary Alexander.

In epitomising the exploits of his hero, he says :—

“Za saudái Hind o zu safrái Rúš,
Faroshust'álam Chun beitalarús.”

He cleansed the world, like to a bridal dress,
From India's black, and Russia's yellowness.

The Turks and Arabs always call the Russians “Bani-r- asfar ;” “sons of yellowness.” Mr. O'Donovan, the late *Daily News* correspondent when at Merv, heard the Tekke and Turkomans often speak of “the yellow Russians.” The epithet is evidently as old as Nizámi's time, that is, nearly as old as the Russian nation itself : Byron has made use of it in *Childe Harold* ! According to Nizami's *Alexandriad*, the arts and appliances which the oriental nations had from time to time borrowed from the Greeks were all the inventions of Alexander himself.

Harold's pilgrimage where he says—

Dark Mukhtar, his son to the Danube is sped
Let the yellow-haired Giaours view his horse tails with dread.
When his Delis come dashing in blood o'er the banks
How few shall escape from the Muscovite ranks !

Saudá and Safrá are, in their secondary meaning, Melancholy and Biliousness, two of the Akláti arba, or Four Temperaments of the Arab physiology which follows the Greek. The two others are the Khúni (sanguine) and Bhalghami (phlegmatic).

Thus Nizámi ascribes to him the invention of coining money, of the looking glass, and of the “naubat,” or military music, used at watch-setting or relieving guard. As he conquered the whole world, so he was the first to measure it, and thus to found the science of geography. This was done, Nizámi informs us, by chaining, and when the sea interrupted the labours of the surveyors, the simple expedient was adopted by the monarch, of employing two ships one towing the other. One anchored, while the other took the chain out to its furthest length ; it then anchored in its turn, while the first ship got under weigh and passed it taking on the chain in its turn : in this way the sea was successfully measured as well as the land.

Alexander also surveys the bottom of the sea, descending thereto in a diving bell of his own invention, a gigantic glass bottle enclosed in a frame of stout timber. This story is related by the Arabic historiographer Al Masudi, but is ridiculed by Ibn-i-Khaldún, who pertinently enquires how Alexander could have breathed inside the glass bottle?

According to Nizámi, Alexander on succeeding to the throne on his father's death, makes his first expedition against the Zangi (Ethiopians) who have invaded and spoiled Egypt. Having subdued them, added Egypt and Ethiopia to his own dominions, and built Alexandria, he returns to Rúm. He then refuses tribute to King Dárá of Persia, and after some angry correspondence, invades his country, fights him at Mosul, and Dárá is treacherously slain by some mutinous Sarhangs (Captains of the host). Dárá is represented as a grave and warlike King, no-wise inferior to Alexander except in liberality and justice, but his tyranny and avarice have disgusted his subjects. They now make submission to the conqueror, who is crowned king of Persia at Istakhr (Persepolis) and marries Roshanak (Roxana) the daughter of Darius. Alexander destroys the fire-temples in Persia and establishes the true faith. He makes the pilgrimage to Makka and the Kaaba and receives the willing submission of the Arabs. He goes to Berda' on the southern shores of the Caspian, a country ruled over by a beautiful queen called Naushába, with a Cabinet and Court of Ladies as fair as herself, by whom he is hospitably entertained. Thence to Khorasan and the neighbouring countries, where he builds the cities of Herat and Samarkand. He next conquers India and kills King Fúr (Porus). He then marches against China: the Khákán of that country misdoubting his power of repelling the invader, disguises himself as an ambassador, and in that guise visits Alexander to spy out his strength. Alexander by his superior wisdom detects the stratagem, surprises the Khákán in his disguise, and treats him nobly and honourably, restoring him to his kingdom as a vassal. The Khákán in his turn hospitably and magnificently entertains the King and all his army. Alexander then marches for home: but on the way, Dawál the satrap of Anjáz arrives to tell him that the Russians, with their kindred nations the Alans and Georgians, have come in boats by the way of Derbend, have harried the lands of Anjaz and Berda', and have carried off queen Naushába and her ladies as captives.

Dawál says that the Russians have in these days become so bold that they raid upon the countries of Rúm and Arman (Armenia) and he prophetically adds, that if their inroads are not checked, they will soon be making a spoil of Khurásán,

He abuses them roundly calling them "Khámán-i-Khalq and, o dúnán-i-Dahr": "Rudest among the peoples and basest in the world." Alexander is furious at the news, utters fearful threats against the Russians, and vaunts his own prowess at their expense in the usual style of inflated bombast which is common to him and all the heroes of these veracious histories. He then gives the word for the country of the Rúš, and at the head of his army marches for the "Dasht-i-Khifchák," or the Kipchak plains.

This Russian invasion of the coasts of the Caspian was, however, no fable or invention of Nizámis: it actually happened not long before his own time, and he has only taken the liberty of putting it back a matter of a thousand years or so. We conjecture that he borrowed the idea from the account of this Russian expedition in the Arabic Historical and Geographical Encyclopedia of Al Masúdi, entitled "Murúj az Za' ab o Ma'ádin al Johar;" ("meadows of gold and mines of gem;") which we shall quote presently.

Before the ninth century the Russians had no separate national existence. They were confounded among the crowd of Slavonian tribes which roamed the steppes from the shores of the Caspian to those of the Baltic. It was in 850 A. D. that they became consolidated into a people under the guidance of a band of Scandinavian strangers and adventurers, who became the aristocracy of the new nation. Just as the Norman King and Barons acquired an acknowledged and undisputed supremacy in the Saxon nation of Scotland, so did Rurik and his Norman rovers obtain undisputed authority over the Slaves of Kiev and Novogorod. And with the facility of the Norman for adapting himself to other ways, they soon became as much part and parcel of the subject nation as the Normans of England or Scotland. It is believed that the very name Russian was the Norse appellation of Rurik and his men. Under their leadership, the infant nation grew rapidly and became formidable to all its neighbours. They occupied all the Northern coasts of the Black Sea, then called by the Musalmans the Bontus or Pontus, after the Greeks.

In the time of Al Masúdi the country to the north of the Black Sea was chiefly in the hands of the Russians. To the west of them lay the country called Borján, inhabited by the Balghár (Bulgarians): but the land of Balghár itself was placed by the Arabic geographers to the north of the sea of Aral, the seat of the Bulgarian nation before it was driven westward. The Russians and Bulgarians were both still pagan nations, Majús or Magian in Muslim phraseology. So were the great nation of the Khazars, (the Avars of Gibbon) who dwelt at the mouth of the Volga and on the eastern shores of the Caspian,

which to this day is called by the Persians, the "Bahr al Khazarán," or Sea of the Khazars. They were mostly pagans, but many of them had been converted to Islamism, and some to Christianity, all the three different religions existing together apparently with peace and harmony: the remnant of the Khazars still survive as a petty tribe in Dághistán on the shores of the Caspian and in the Russian dominions.

The nation of the Alans was another pagan tribe in the same vicinity. Ibn Khalidún, the Moorish geographer, says that the Alans lived to the south of the Black Sea with their capital at Sinoboli (Sinope?). He says that a people called Berthás lived to the east of the Khazar, and the Bulgarians lived to the north-east of the Berthás. He also says that the country of the Russians extended from the Black Sea on the south to the shores of the Bahr al Muhit (encircling ocean) on the north. He wrote in the fourteenth century, but has taken most of his materials from the work of Edrisi, which the latter composed for his patron Roger, the Norman King of Sicily, in 1154 A. D.

Al Masudi, who compiled his voluminous work in the tenth century, has the following curious passage. The invading nation to which it refers was really the Normans, but his surmise that it might have been the Russians was certainly a sagacious one: "A short time previous to the beginning of the fourth century of the Hijra, ships landed in Spain which had thousands of men on board, who made incursions on the coast. The Muslims of Spain believed that they were a Magian nation, (Ummat min al Majús), who were in the habit of visiting the country once in every two centuries. They came from a gulf of the ocean and not from the strait on which the pillars of copper (columns of Hercules) stand. I suppose this gulf may be connected with the sea of Mayotis and the Pontus through a northern passage, and that the invading nation were the Russians of whom we have spoken; for no other nation sails in the seas which stand in connection with the ocean.

* * * * *

The sea towards China and the country of As Sila goes all round the country of the Turks, and has communication with the sea of the West (Bahr al Maghrib: the Atlantic) through some straits of the encircling ocean (Okíánús al muhit.)"

In the year 864 A. D., the Russians sailed from their ports on the Black Sea against the coasts near Constantinople with a fleet of two hundred ships which was scattered by a storm. In 904 they made a fresh expedition with a larger force: and in the middle of the tenth century, they fitted out a huge armament with the avowed object of capturing the imperial city: but their fleet was destroyed by Greek

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fire launched upon it from the Byzantine galleys. About the same time they made an expedition down the Volga into the Caspian, and scoured the shores of the Musalman Provinces to the south of that sea. This expedition is described at some length by Masúdi in the following passage :—

“The Russians (Ar Rús) consist of several different nations and distinct hordes : one is called “Al Ludaniya” (Lithuanians?). They go on their mercantile business as far as Spain, Rome, Constantinople and the Khazar. After the year 300 (922 A. D.) they had five hundred ships, every one of which had one hundred men on board : they passed up the estuary which opens into the Pontus, and is in communication with the river of the Khazar (the Volga). The King of the Khazar keeps a garrison on this side the estuary, with efficient warlike equipments to exclude any other power from this passage, and to prevent them from occupying by land that branch of the river of the Khazar which stands in connection with the Pontus ; for the nomadic Turks who are the Ghóz (Al Ghúz) try frequently to winter there. Sometimes the water (the Don?) which connects the river of the Khazar with the above mentioned estuary, is frozen, and the Ghuz cross it with their horses, for although it is a great water, the ice does not break under them. The King of the Khazar himself frequently takes the field against them, if his garrison is too weak to drive them back ; and he prevents them from going over the ice, thus defending his dominions. It is impossible for the Turks to cross the river in summer.

When the Russian vessels came to the garrison in the entrance of the estuary, they sent to the King of the Khazar to ask his permission to pass through his dominions, to go down his river, and enter into the sea of the Khazar (the Caspian) which is the sea of Jorján (Georgia), Tabaristan, and of other places of the barbarians (Al Aajim), as we have stated, promising him half the plunder which they should make from the nations who live on the coast of this sea. He gave them leave. They entered the estuary, and continuing their voyage up the river as far as the river of the Khazar, (the Volga), they went down this river, passed the town of Itil, and entered through it's mouth into the sea of the Khazar. This is a very large and deep river. By these means the Russians came into this sea, and spread their predatory excursions over el-Jil (Ghilan) ed Dailem, Tabaristán, Aboskún which is the same as the coast of Jorján, the naphtha country, and towards Aderbaiján, the town of Ardebíl which is in Aderbaiján, and about three days' journey from this sea.

They shed blood, plundered property, made children prisoners, and sent out predatory and incendiary corps in all directions.

The inhabitants of the coasts of this sea were thrown into consternation, for they had never had to contend with an enemy from these quarters : for the sea had only been frequented by peaceful traders and fishing-boats. They had been at war with el-Jíl, ed Dailem, and the leader of the forces of Ibn Abi-s-Sáj, but with no other nation. The Russians landed on the coast of the naphtha country (al Nafátih) which is called Bábika (Bákú?) and belongs to the kingdom of Sharwán Shah. On their return from the coast, the Russians landed in the islands which are near the naphtha country, being only a few miles distant from it. The King of Sharwán was then Ali-ben-el Hai-them. As the merchants sailed in boats and vessels in pursuit of their commercial business to those islands, the Russians attacked them : thousands of Muslims perished, and were partly put to the sword, partly drowned. The Russians remained several months in this sea, as we have before said. The nations on the coast had no means of repelling them, although they made warlike preparations and put themselves in a state of defence, for the inhabitants of the coasts on this sea are well civilized. When they had made booty and captives, they sailed to the mouth of the river of the Khazar, and sent messengers with money and booty to the King in conformity with the stipulations which they had made. The King of the Khazars has no ships on this sea, for the Khazar are no sailors : if they were, they would be of the greatest danger to the Muslims. The Larisians (Mares of Christian writers) and other Muslims in the country of the Khazar, heard of the conduct of the Russians, and they said to their king—"The Russians have invaded the country of our Muslim brothers : they have shed their blood, and have made their wives and children captives as they were unable to resist ; permit us to oppose them." As the king was not able to keep them quiet, he sent messengers to the Russians, informing them that the Muslims intended to attack them. The Muslims took the field and marched against them, going down the banks of the river. When both parties saw each other, the Russians left their vessels and formed their battle array opposite the Muslims. In the ranks of the latter were many Christians of Itil. The number of the Muslim army was about fifteen thousand men, provided with horses and equipments. They fought three days, and God gave victory to the Muslims ; they put the Russians to the sword, others were drowned and only five thousand escaped, who sailed first along the river on which Bortas is situated : then they left their vessels and proceeded by land. Some of them were slain by the inhabitants of Bortas, and others came into the country of Targhiz where they fell under the sword of the Moslems. There were about thirty thousand dead counted on

the banks of the river of the Khazar. The Russians did not make a similar attempt after that year.

Al Mas'ádi says we have related this fact in proof of our statement that the Black Sea and Caspian are separated, against those who maintain that the sea of the Khazar is connected with the sea Mâyotis and the strait of Constantinople, through the Mâyotis or Pontus: for if this was the case, the Russians would have made their voyage by this way, being the masters of the Black Sea as we have said. Besides, the merchants of all the nations who live near this state, unanimously, that the sea of the barbarians (the sea Caspian) has no strait by which it is connected with any other sea: and as this sea is but small, it can be known in it's whole extent. The history of the Russian ships which we have related, is generally known among all nations who live there. I have forgotten the exact date of their expedition, but it happened after 300 A. H. Perhaps those who maintain that the sea of the Khazar is connected with the strait of Constantinople, mean under the sea of the Khazar, the sea Mâyotis, and the Pontus which is the sea of the Targhiz and Russians; God knows how this is."

It seems probable that the poet Nizâmi derived his account of the Russian raid upon Berda' from the above narrative of Mas'udi; for Firdûsi in the *Shâh Nâma*, written about two centuries earlier, makes no mention of the Russians, nor of any expedition of Alexander against them. However, he quite makes up for this omission, by representing Alexander the Great to have visited and conquered Andalus (Andalusia, a term used by the Musalmâns for the whole of Spain) which was a Musalmân state, and a principal one, in the days when Firdusi wrote.

Al-Mas'udi has given a particular account in his work of the country of the Moslems in Spain, and of their chief cities of Kortoba (Cordova,) Tuláita (Toledo) and Ishbiliya (Seville), and of the wars which they waged with the Christian refugees of Galicia (Al Jalálîka, the Galicians), and their co-religionists Al Afranj (the French) from across the mountains. But neither Masu'di nor Nizâmi have fallen into the error of supposing that Alexander the Great ever visited Spain.

To resume the thread of Nizâmi's narrative of the Russian campaign: Alexander with his hosts traverses the Dasht-i-Khifcháq, where the women go unveiled after the Tartar fashion, and their beauty consequently commits havoc in the hearts of the king's soldiery: he remonstrates with the elders of the Khifcháq tribes on the error of their ways, and by a stratagem which is detailed at great length, induces the women to adopt the custom of veiling themselves. From

thence he marches for the country of the Russians through the Dasht-i-Sakláb or Slavonic plains. The news meanwhile has reached the enemy of the approach of the King of Rúm's army: the lands groaning under the multitude of his troops: and the load of his two hundred elephants harnessed with iron. The Qintál* or Kintál of the Russians, who was their leader, summons his warriors from the Haft Rús (the seven Russias: probably an allusion to the old division of the country into White Russia, Red Russia, Little Russia, &c.): and from the kindred nations of the Partás, the Alán and the Khazar. The Partás, who are always mentioned by Nizámi as second to the Russians, are no doubt the same as the Bortás of Mas'udi and the Berthas of Ibn-i-Khalidún: a forgotten people, every trace of whose name even has vanished. The Aláns have also lost their national existence, but the Khazars still exist as an insignificant tribe: there are frequent notices of these last two peoples by European historians.

From this side of the land, says Nizámi (meaning apparently his own country of Ganja, south of the Caspian) to the Khifchak plains, the whole land was swarming with the pagan warriors: every man sheathed in steel with a steel helmet on his head; buckler on buckler they stood in close-locked ranks, their whole array mustering more than nine hundred thousand men. The Kintál addresses his army and harangues them on the luxury and effeminacy of the Greeks and Chinese of Alexander's army: who live on sweetmeats and wine, while the Russians drink the blood of their foes: the enemy's soldiers are all dressed in silk and brocade and have crowns of gold on their heads: had he seen such wealth even in a dream it would have made his mouth water: now all this wealth and store shall be the reward of their victory; and moreover, when they have overthrown the King's army, they may easily achieve the dominion of the world. The Kintál then spurs his horse on to an eminence from which he can survey the splendid appearance of Alexander's army which he points out to his rugged soldiery as an earnest of the destined spoil, and thereby causes great enthusiasm among them. Alexander on his side assembles the chiefs of his army, who appeared around him like stars around the moon: Persians, Arabs, Turks and Tartars and men of Yúnán, (Ionia, Greece), Afranj (France, Europe), Mizr(Egypt), and

* We cannot find the explanation or derivation of this word **قنطال** Kintál applied to the Russian chief. It may be a mispronunciation of **قمرال** Kerál the Slavonian word for King.

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Shám (Syria): and addresses them assuring them of certain victory over such barbarians as the Russians, ignorant of the art of war, and imperfectly armed: and then he boasts of his former exploits, and recapitulates his conquests of India and China, after which he expects to find Russia an easy prey. The officers and soldiers excited by his harangue eagerly anticipate the battle of the morrow. The army goes to rest protected by outposts: picquets (Tilaya) and scouts (Jasús). Nizámi's description of these shews that the duties of outposts, in which all oriental nations are now so lamentably deficient, were understood and practised in his time.

In the morning, which is ushered in with the usual Persian wealth of imagery about the Western King chasing the flying hosts of darkness, and much more to the same purpose, the two armies are drawn up in battle array. Alexander's by nations; Dawáli the satrap with the Greeks on the right wing, the Chinese on the left wing: two hundred elephants in armour of steel in the centre, with the main body behind them, where the King stations himself, mounted on a white elephant. On the other side the red-faced Russians shone like the shrine of the fire-worshippers: the Khazars on the right, the wild cries of the Partás sounding on the left: the Aláns on the wings and the Russians themselves in the centre. The battle is described as all other battles are by Nizami: the dust obscures the light of the sun, the trampling of the horses makes the earth tremble; the shouting of the warriors would drown the blast of the trumpet of doom: the rolling of the kettle drums is louder than thunder, and the flashing of the scimitars brighter than lightning; there are hail-storms of arrows, mountains of slain, rivers of blood, and all the hyperbole that Persian imagination can invent. As in the battles described by Homer, while the masses of combatants slaughter each other without any apparent effect on the fortunes of the day, the interest centres in the combat between individual champions (Mubáriz) who spur their steeds out in front of their own army, vaunt their own prowess, deride the enemy, and challenge him to single combat. A lion-like and steel capped Partás in leathern armour thus successively insults and overthrows seventy Greek warriors, and himself in turn succumbs in his seventy-fist duel to the Indian steel of the Prince Hindúi; who in his turn successively overthrows many Russians in single combat till night puts an end to the conflict.

The next chapter is entitled the Musáf i dúam or Second Battle. This is a succession of single combats, the champions circling around each other according to Nizámi's simile, like the points of a compass. The Prince of Ghilán slays a kinsman of the Kintal as well as many other noble Russians:

and in revenge the Kintal himself takes the field and after a long fight slays the Prince of Ghilán; and this concludes the second day's fighting.

The third days' fighting opens like the preceding ones with a general description of the battle which precludes the succession of single combats of the champions, each being, after his victory, in his turn overthrown by another. Their dresses are described: their helmets of blue steel, their quilted coats of yellow and crimson silk, the silvery sheen of their hauberks of rippling chain-mail. The names of the champions are also given, the Russians bearing such barbarous names as Afranj, Jaram, and Jaudara. The satrap Dawáli engages and slays a gigantic Russian champion, and is attacked by the slain man's bigger brother and wounded, and has to retire to his own lines, where Alexander sends his surgeon to dress his wounds, and this ends the third days' battle.

The fourth battle commences with the overthrow and death of Jaudara by the sword of Hindúi, who is himself afterwards slain by a huge Russian named Tartús, against whom no Greek champion can stand, and Alexander in vain calls on his warriors to engage with him. The monarch is about to take the field in person, when a champion from his army so locked up in steel armour that there is scant passage for his breath, spurs forward and overthrows and kills the redoubtable Tartús. This unknown hero successively destroys forty elephant-bodied Russians in single combat, and strikes terror into their whole army. Darkness ends the fourth days battle, under cover of which the unknown champion quits the field without his identity being discovered.

The fifth day, a mountain-like Alan makes havoc of the king's warriors, till the same unknown champion appears and transfixes him with an arrow. His successor a "Rûsi-i-gurba-chashm" a "cat-eyed (i. e., blue-eyed) Russian" shares the same fate: and all the Russian champions being successively shot down by the unknown archer, the battle speedily comes to a close.

The sixth day the battle commences as usual, when from the Russian centre advances a frightful looking being on foot, clad only in the skins of beasts and armed with an iron club. He overthrows every Greek who comes near him, and their spears and arrows cannot pierce his rhinoceros-like hide. All the king's champions are driven from the field, and the monarch calls a council of war to debate on how to proceed against the monster. One of his wise men tells him that a mountain near the Zulmát (lit. Darkness: the Polar regions) which can be approached only by one narrow and winding path, is inhabited by wild men of the woods, who resemble wild beasts in strength and ferocity, cannot speak, prey on wild animals and sleep in

trees. When the Russians sometimes happen to discover one of them roosting, they take him in nets and bind him with iron chains ; and then it takes the united strength of fifty men to drag him from the tree : if he can succeed in breaking the chain, woe to his captors ! but if they succeed in keeping him, they break him in like a wild elephant, and employ his strength and courage in their service. The monster of the day's battle must be one of these wild men. Alexander accepts the explanation, and trusts to his good fortune to find a way of overcoming this inconvenient demon in human form. On the seventh day the monster keeps the field against all comers as on the day before, till the unknown steel-clad warrior dashes out from the ranks of the King's army, and after a long and desperate combat is overthrown and dragged from the saddle by the victorious monster, who tears off the steel helmet and visor and discloses the face of a lovely woman, whose long musky tresses fall to her waist : the monster moved with tenderness at her beauty foregoes his intention of killing her, and carries her as a prisoner into the Russian Camp. When he returns to the field, the King sends a *must* elephant against him ; but the monster seizes the elephant's trunk and twists it till he dashes the bellowing brute to the ground. Alexander now begins to be sorry for himself and to regret that he had ever undertaken to subdue the Russians : but as usual in his emergencies, he has recourse to the counsel of his wise men, one of whom tells him to meet the monster in combat himself trusting in his "*Ikbal*" or good fortune : and as steel avails naught against the savage's tough hide, he advises him to use the *kamand* or lasso.

Alexander at once acts on this suggestion, takes horse and lasso, nooses the monster at the first throw, and drags him at full gallop to the camp where he is loaded with chains. He then orders a banquet to be made ready and spends the night in feasting and revelry. He orders the bruised and battered monster to be brought before him, and moved with pity, strikes off his chains, and gives him food and wine : the monster becomes exceedingly happy and fawns at the Monarch's feet : but soon afterwards makes a bolt, and vanishes in the darkness. Some suppose he has taken to his native woods : others opine he may have gone back to his old masters. The King and his courtiers are talking over the events of the day and lamenting the loss of the unknown champion, when the monster rushes back into the assembly with a beautiful girl in his arms, whom he lays at the feet of the astonished King. She turns out to be a damsel some time before given to Alexander by the Khakán of China, and who being piqued at the neglect of her charms, had armed herself cap-a-pie and taken the field to bring herself to her master's notice. She was

the unknown champion captured that morning by the monster. Now captivated by Alexander's kindness, the monster had started off to the Russian Camp, slain the guards, and carried off the fair captive to present to his benefactor. This romantic story is narrated at great length and with great detail by Nizámi.

Al Masu'di tells us of huge monkeys inhabiting mountains on the shore of the Caspian Sea, which may have originated Nizámi's story of the intelligent monster. But it is difficult to imagine that monkeys could ever have been found in such northern latitudes: the passage in Masu'di's work is as follows:—

"Behind these four mountains on the sea-coast is another ring near the precipice: in it are forests and jungles, which are inhabited by a sort of monkeys who have an erect statue and round face: they are exceedingly like men, but they are all covered with hair. Sometimes it happens that they are caught. They shew very great intelligence and docility: but they are deprived of speech by which they could express themselves though they understand what is spoken. Sometimes they are brought to the kings of those nations, and they are taught to stand by them and to taste what is on their table: for the monkeys have the peculiar quality of knowing if poison is in food or drink. Some part of the food is given to the monkey who smells it, and if he eats of it, the king eats: but if not, he knows that it contains poison. The same is the practice of most Chinese and Hindu sovereigns."

The next chapter, after "The Seventh Battle," is entitled "The Victory of Iskandar over the army of the Russians." This makes the eighth battle, as furious as any of the former. Alexander draws up his army as usual, while opposed, stands as firmly as ever:

"Ze digar taraf sukh rúyán-i Rús
Farozinda chun Kibha gah-i-Majús"

"Opposed, the red-faced Russian's line,
Shines like the flames on Magian shrine."

While the battle rages, Satarláb (Astrolabe) the Greek astrologer stands watching the sun to divine the auspicious moment for the decisive attack. When he communicates it to Alexander, the King pushes forward into the thick of the fight, and to make a long story short, lassoes and captures the Kintal himself, when the whole Russian army takes to flight. Succeeding chapters narrate the triumph of the conqueror and the release of Naushaba and her maids from their captivity: and the bestowal of her hand on the satrap Dawáli.

The enumeration of the spoil taken from the Russians occupies a considerable space: not the least part of it being

a variety of costly furs : but in the Russian treasury are also a vast assortment of old and mangy skins, at which Alexander is surprised, till one of the captives explains to him that this is the only money current in Russia, and that his countrymen, like the magician in the story of Aladdin, buy new skins with old ones. Alexander makes some reflections on the wonderful loyalty of the Russians towards their sovereign, which makes them obey his orders to accept furs instead of money, exactly in the style in which a Persian or an Afghan who enters India for the first time may be heard moralising on the wonderful cunning of the English Government in substituting paper for money, and the blind obedience of its subjects, who accept it at its fictitious value.

Ibn Khalidun, who says that the Russians are the savages of the Northern hemisphere, as the Zangi (negroes) are the savages of the Southern, speaks of this habit of all the Slavonic tribes of using furs instead of money.

In conclusion, Alexander releases the Kintál, who is also called the Shah-i Rúš, treats him generously and honourably, and restores him to his throne as a tributary, and leaves him overwhelmed with gratitude ; setting out himself for the neighbouring Zulmát (Realm of Darkness) in quest of the fountain of the water of life. The whole story of the campaign of Alexander against the Russians is of course a fiction, and was probably suggested by the expedition of the Russians to the shores of the Caspian which we have noted above, as related by Masu'di. But this fiction, circulated through all Islam in the classic pages of Nizámi, has given the whole Musalman world an idea of the might and valour of the nation which could fight seven pitched battles against the armies of the Great Alexander, which the events of the present time are not likely to contradict.

Of the real history of the Russians little has been written and less is known among the Musalmans. Thirty years had barely elapsed since the writing of the Sikandar Náma by Nizámi, when Russia was trampled into the dust by the horse-hoofs of Batu Khán and his Mughals.

The Persian historian Wassáf, in his valuable and now very rare work, has given a short account of the conquest of Russia and of the irruption of the Mughals into Poland and Germany, where they fought a pitched battle with the steel clad chivalry of Europe on the Silesian plains, and after their victory, filled nine sacks with the right ears of the slain Christians.

From the time of the revolt of the Russians against the Tartar domination, their national history is nothing but the history of a continuons crusade against the Crescent and it's followers. The Tartar Khanates of Kázán and Haji Tarkhán (Astrachan)

were the first to fall under their repeated blows. The songs of the nomad Moslem shepherds, who roam the steppes near the mouth of the Volga, still bewail in mournful numbers the fall of "the strong-walled city, the City Kázán": and the untimely fate of the brave young Prince Bátor* Torah, the son of the Khan of Qarím (the Crimea) who was defeated and drowned in the marshes when endeavouring to throw succours into the doomed city.

Mirza Mahdí Khán, the Vazir and historian of the great Nadir Shah has, in his "*Jahán Kushái Nadiri*," or "world conquests of Nadir," narrated the occupation of Ghilan by the Russians in Peter the Great's time. He says the Russians occupied Derbend with four thousand musketeers (*tufangchi*) who are called in the Russian tongue "soldat." It is observable that he speaks of them always as "Rús" and "Rusiya," whereas Ottoman histories of the last century use the term *Maskúb*: Muscovy or Muscovite for the Russian country and nation. The famous or infamous Empress Catharine is always called *Khúrshíd Kuláh* (sun-crowned) by Musalman writers, her power and prowess having evidently made a deep impression on these nations, who suffered so much from her arts and arms. Ever since her time the epithet "*Sháh i Khúrshid-Kuláh*," or sun-crowned King, has been applied by Muhammadan writers to the Czars of Russia.

In the present day all the literature relating to the Russians in the Musalman languages is translated directly from European newspapers. The ignorance of the Musalman writers in the Urdu Press of India is often conspicuously shewn by their erroneous transliteration of the oriental words occurring in these extracts from the English newspapers which they translate from: thus the Turkish word *Kazak* قازاق which should be well enough known in India, since it occurs in the *Bagh o Baghár*, is transliterated "Kásik" from the English "Cossack:" and "Sarkash" is the word used for Circassian, following the English mispronunciation, instead of the real form "Charkas" چركس which is in use with the Turks and Russians. Indeed a very brief perusal of the Urdu journals of India is sufficient to assure any one, of the total dependence of the Musalmans of India upon English sources of information, and of their inability to avail themselves of any other.

F. H. TYRRELL.

* "Bátor" is the Tartar mispronunciation of the Persian "*Bahádur*."

ART. II.—AN INDIAN REFORMER.

THE condition of our Muhamadan fellow-subjects in India is very peculiar. They are of three-fold origin ; according to which they are recognisable under the native classification of Arab, Mughol, and Pathan. But, in order to convey a clear idea of these divisions to general readers, it is needful to explain, that by Arab is mainly meant those who are descended from the original Muslim immigrants, by Pathan, the representatives of Afghans and of Indian converts, by Mughols, the offspring of Turkmans and Persians. The two former are distinguished by the titles of Saiyid and Shaikh, and profess the Sunni-form of Islam ; the last are called Beg, or Khan, and when of Persian blood, are often Shiah ; many of the Pathans sharing the title of Khan also. All are more or less tinged with Indian nationality, yet are kept together, to a considerable extent, by a sort of religious or secondary patriotism derived from their distinctive creed.

It was a doctrine of the late Mr. Buckle's, that the failure of Islam in India was due to the Arab element. But that element is not nearly strong enough to have determined the action of the Muhamadans in Indian affairs. The peculiarities of the case, and the causes which determined the ultimate defeat of the attempt to form a universal Muslim dominion in the Indian Peninsula, are far more traceable to the Turkish character impressed upon the administration by the race which bore the most active part in the conquest and subsequent transactions. At the same time, these conquerors were accompanied and advised by lawyers and literati of the Arabian school ; so that the traditional note of Muslim feeling in India is influenced by a combination, in unequal proportions, of three distinct elements. There is the tradition of conquest—still acting with living force at Haidarabad ; the tradition of orthodoxy—which, now that Oudh has fallen, is universal among all ruling Muslim dynasties, and, lastly, there is a feeling of nationality derived from the blood of Hindu converts, that runs in the veins of a large—perhaps preponderant—portion of the Muslim multitude in India.

Nevertheless, the Muhamadans of India, in spite of many common characteristics, as Indians, possess a special peculiarity derived from their position as a minority, professing a somewhat intolerant creed and cherishing the memory that this creed was once the creed of a dominant race. They are engaged, one might suppose, in an attitude of hostility towards the new

masters of the peninsula, who have taken possession of the palaces and tombs of the old Mughol, and have replaced the law of the Prophet and his apostles by a Benthamite system of codification. The English, for their part, taught that Islam is a legalisation of lust and persecution; that all Muhamadan Governments are inefficient, while no orthodox Muhamadan can submit to be ruled by any other; lastly, that the Koran is a religion essentially opposed to progress.

If these indictments could be entirely proved, they would constitute a frightful outlook for the Empire. People do not, perhaps, sufficiently realise the vastness of the multitude of Muslims who are subjects of the Queen. They outnumber not only the population of the British Islands, but those of any country in Europe, with the exception of Russia. If out of fifty-six millions of Muslims in India, there are but forty millions of persons within the Empire, who are as intransigent and irreconcilable as is logically to be expected from their creed, matters must indeed be in a bad way.

Fortunately, the working of a religious system is not to be absolutely inferred from its direct precepts, or even from what may be thought to be its inherent principle. Christians, for example, are not found in practice to conform to the teaching of their founder in very important respects. If there are two doctrines more pointedly denounced in Scripture than "teetotalism" and "women's rights," it would be difficult to say what they are; yet these two have been espoused as sacred causes by some of the most earnest Christians of our day. Christians are directed (1) to turn their cheeks to the smiter; (2) not to resist spoliation; (3) to obey the powers that be; to take them, even when appointed and controlled by Nero, as of Divine appointment. Which of these three rules is followed, either in letter or in spirit, by the modern nations of Christendom? As to Muhamadans not submitting to be ruled by non-Muslim Governments, that is a statement which is opposed by weighty facts. There are many existing instances of Muhamadan populations so ruled; such as Algeria, Bulgaria, the Crimea, Circassia, etc. In British India—where nearly half the Muhamadans of the world are at this moment living—the Muslim population is, on the whole, remarkably well-conducted. As for the alleged intolerance of Islam, it was the mediæval Mughols who first introduced toleration as a practical element of Government, and the Ottoman Turks in Europe have, in general, acted similarly. It was not from the Moors in Spain that the Christian Church learned the theory and practice of the Inquisition and Acts-of-Faith. Even as to progress, there was a time when all learning and civilisation, between Delhi and Granada were in Muslim hands.

Feelings of this kind found a favouring asylum in the brain of a young Muhamadan of Upper India, nearly half a century ago ; and he has lived to witness a very considerable development of them in active life. Saiyid Ahmad Khán was a native of Delhi, descended from ancestors who had immigrated from Herat, and been employed in the service of the Imperial Court, but who were undeniable members of one of the noblest class of Arabia. He was thus a kind of typical Indian Muslim from his birth, being of Arab lineage, yet born in India, and connected with the Mughol Empire. At that time—separated from to-day by so brief an interval—the men of his class were more employed than trusted by the British officials. The fault was not wholly on either side. The Europeans were often inflated, contemptuous, and wanting in any kind of sympathy, either of the head or of the heart. To them the “Amláh,” as the subordinate native officials were called, were useful, as were their dogs and horses. But these, on their side, were equally ignorant and unintelligent ; very corrupt, as a rule, and looking on the class they served with a dislike, only mitigated by dread, and a scorn scarcely veiled by an elaborate assumption of deference. In the popular folk-lore of the day there was a current couplet :—*Hakim bandar, Amlah kalandar*, which may be thus paraphrased—

“As the clerks their music play
Justice Jacko hops all day.”

There was, thus, contempt on both sides ; and the British functionary having an uneasy perception that his feelings were returned with interest by subordinates too timid and supple to show theirs (except by adulation) naturally learned to loathe the apparent submissiveness which, nevertheless, they would not allow to lapse. They knew it was insincere, and that the feelings confessed by Shylock in Shakspeare’s *Merchant of Venice* form a by no means hyperbolic expression of those of the educated Hindustani for his hated and dreaded white superior.

This was the state of things that Saiyid Ahmed undertook to attack. He saw that the Muslim part of the community, though more manly than the Hindus, were, by that very reason, more heavily weighted in the race. The British power in Hindustan could not be destroyed ; nor, indeed, is there the faintest ground for supposing that such a thought ever crossed the young reformer’s mind. Willingly accepted as it had been less than half a century earlier—by men, many of whom he had known and conversed with—the Saiyid was well assured that, with all its faults and disadvantages, the British administration was, on the whole, what was chiefly needed by a country wasted with long anarchy and yearning for a paramount power. How to make the best of it was the problem

that he set himself: how to utilise it for the resurrection of a people that had known no national life since the fall of Shahjehán, two hundred years before.

When Saiyid Ahmed published his account of the old monuments of Delhi and other historical works, he was still only Munsif (3rd class Civil Judge) of the Imperial city, then included in the North-Western Provinces. It is in that capacity that he is spoken of in Dowson's *Elliot*, only published so recently as eight years ago. By that time, however, he had assumed a very different position; and it is not very creditable to English Orientalism that a man like Professor Dowson should have been so ill-informed as to what was going on in India when editing the historians of that country.

But we must pass from the antiquary and the Munsif, to trace some later steps of Saiyid Ahmad's progress. Promoted to the superior grade of Sadr Amin, Saiyid Ahmed was stationed at Bijnour, in the northern angle of Rohilkhand, when the great catastrophe of 1857 burst forth at Meerut, the conterminous district. His exertions in the cause of the British Government were so far successful, that he was able to provide for the escape of all the Europeans at the head-quarters of the district, and to maintain some vestige of law and order till just before the fall of Delhi, in September; then, he too, had to fly. He went to Delhi, where his home was, but it was only to find that it had been plundered and destroyed in the vicissitudes of the war, from the effects of which, moreover, his mother died. His losses in property amounted to over thirty thousand Rupees—a considerable sum for a native of the middle-class. But he was handsomely treated by the Government, receiving honorific rewards, a pension of Rs. 200 per mensem, say £200 a year, for two lives, and promotion to the post of Principal Sadr Amin, or Subordinate Judge,—the highest then open to Native officers of his department.

Translated to Moradabad, the Saiyid now began his career as a political writer and reformer. His first efforts were, as became a loyal public servant, directed towards the enlightenment of the British Government. In the year following the Mutiny, and while the work of punishment, reconquest, and reorganisation, was still in its earlier stage, he published a pamphlet on the causes of the revolt. With a firmness of touch, and an accuracy of judgment, characteristic of genius, he at once indicated what, if not actually the *fons et origo mali*, was certainly the main reason why the revolt was possible. Allowing for all the immediate provocations of the people, and the concurrent insolence and presumption of the Native army (insufficiently balanced as it was by British troops and enregimented on the faulty principle of associating creeds and tribes

in each corps instead of organising each separately,) he showed the fundamental error. All the discontents of the population, all the fears, pride, and ambition of the sepoys, were based upon one common ground—their general ignorance of the motives, character, and objects of the ruling power. Had there been Indian Members of the Governor-General's Council, the people would have had some idea of the principles of the Government, some confidence in its intentions, and a correct measure alike of its justice and of its strength. It is hardly necessary to add, that this fruitful idea has been adopted with the happiest effect in succeeding times, the Saiyid himself becoming one of its earliest illustrations.

The pamphlet of 1858 was followed, two years later, by another on the "Loyal Muhamedans of India." Under the effects of the excitement originated by the fearful struggle through which they had passed, the Anglo-Indians of those days had begun to look upon Islam as something radically and irreconcilably antagonistic to civilisation, progress, and everything that they held most dear. The Saiyid took up the cudgels in favour of the class of which he himself was a distinguished ornament, and showed by numerous examples that there was nothing to prevent the most high-born and orthodox Muslim from being a hearty friend of British dominion, and giving his life in proof of his sincerity. In both these works he struck the note on which he has continued to harp ever since, until he has at length obtained a general hearing:—

"Government has not cultivated the friendship of its people, as was its duty to do. . . . It was for Government to try and win the friendship of its subjects, not for the subjects to try and win the friendship of Government. . . . Now, friendship is a feeling that springs from the heart. . . a link, as it were, between hearts. . . it was incumbent upon Government to show towards its native subjects that brotherly kindness which the Apostle Paul exhorts us to. . . Now the British Government has been in existence upwards of a century, and up to the present hour has not secured the affections of the people."

This was plain speaking, at such a time, and from a native official, dependent for everything on the favour of a victorious alien despotism, actively employed in the work of vengeance. But the Saiyid's boldness was impartial. While censuring the faults of the British, and defending his loyal brethren, he turned fiercely on those of his confreres who had acted against the British, and scourged them in such terms as these:—

"I hold their conduct in utter abhorrence, as being in the highest degree criminal, and wholly without excuse. It was imperatively their duty—a duty enjoined by their religion—to

identify themselves heartily with the Christians and espouse their cause. . . . It is their happy fortune to live under the shadow of a *great and righteous Government*."

These impartial censures were not distributed in the English language—which the Saiyid has never mastered—the pamphlets were written in Hindustani, and therefore addressed, at least, as much to the Natives as to Europeans. They were followed up by a critical examination of some of the books of the Bible, (we have already seen the Saiyid enforcing his opinions by reference to St. Paul) and shortly after the author brought out an elaborate defence of the *Pentateuch* against the criticisms of Bishop Colenso.

In 1864 he was at Gházipur, and there set on foot a society for meeting a want which he himself experienced. The original object was to bring the science and literature of the West, and especially of England, within reach of all classes of natives. Moved to Aligarh, he carried the graft with him; and there it grew into a "Literary and Scientific Society," which now boasts of a fine hall, library, and chambers, and which has been the means of translating into the vernacular, no less than twenty-five English works, some of extreme importance, on history, mathematics, and general science. In his inaugural speech, the Saiyid returned to the principle that he had originally been the first to lay down in 1858, and showed that his real motive had not been the political aggrandisement of his countrymen, but the cultivation of sound relations between them and their rulers. At the same time the germ bore fruit at Gházipur, where it is now represented by the Victoria College of that city.

In the spring of 1869 the Saiyid took what was a bold step for an Asiatic of fifty, who did not know English, in resolving to proceed to England with his two sons, whose education he wished to complete in that country. In the *life* before us, are two translations of long letters which he wrote, descriptive of his travels, sufficient of themselves to show his talents as a writer, and the sympathetic good humour of his disposition. In the second, especially, he displays the same impartiality and readiness to appreciate an alien civilisation, which have always accompanied his sincere and deep patriotic feelings. A few extracts must suffice in illustration of this assertion. After apologising for the freedom of the remarks that he is going to record (the letter is addressed to a Hindu friend, Raja Jaikishn Dás) he proceeds to describe some of the wonders of London. He then proceeds to apply the lesson :—

"The result of all this is, that though I do not absolve the English in India of discourtesy in looking upon the natives of the country as animals, and beneath contempt, I think they

do from want of understanding, and I am afraid, I must confess, that they are not far wrong in their opinion of us. Without flattering the English, I can only say, that the natives of India, high and low, . . . are, when contrasted with the English, . . . as like them, as a dirty animal is to an able and handsome man . . . We have no right to courteous treatment . . . what I have seen, and see daily, is utterly beyond the imagination of a native of India . . . I am not thinking of things in which, owing to special peculiarities of our respective countries, we and the English differ. I only refer to politeness, knowledge, good faith, cleanly habits, skilled workmanship, accomplishments, and thoroughness, which are the results of education and progress . . . This is entirely due to the education of the men and women, and to their being united in aspiring after beauty and excellence." In all this (and there is more to the like purport) it is easy to point out enthusiasm, and to say t'at the Asiatic observer, in the excitement of the moment, rates his own countrymen too low and gives ours a too high and indiscriminate laudation. The opinions are not the less characteristic of the man, thrown off in writing to another Asiatic, without any notion that they would ever be communicated to Europeans. The Anglo-Indians are a class whose faults, when he has occasion to address them, the writer has never spared. And, to their credit be it said, they have shown him no ill-will for his frank language.

In truth he had a motive when handling the natives with such severity, which his subsequent course of conduct has both explained and justified. There was growing in his mind that design, which he has since done so much to realise, of raising his countrymen, and, above all, his coreligionists, to a level on which they might meet the dominant race on something like a footing of equality; sharing their principles and pursuits, and working with them for the salvation of Indian society.

The social state of the Indians, and especially of the Indian Muslims, was then at its lowest ebb. Not only was their no friendly intercourse between the Anglo-Indians and the native leaders, but it had become an axiom, corroborated by a superficial observation of the events of Fifty-seven, that no native was worthy of confidence. Whether they knew their Horace or not, the bulk of the European officials felt towards every coloured son of the soil what is expressed in the line—

Hic niger est; hunc tu, Romane, caveto.

This feeling was especially strong when applied to the followers of the Prophet. Although generally deposed and depressed before the commencement of British administration, the Muhamadans of India preserved some of the traditions of supremacy; indeed, in Bengal, they had remained supreme

to the last, as also in Oudh. Descended from hardy races of immigrants from Afghanistan and Central Asia, they were known to view with jealous resentment, the intrusion of the British. In many parts of the country, Muslims had long continued in the enjoyment of fiefs conferred for military service by the now fallen dynasty of Delhi: but these lords of the manor had, in various ways, become extensively dispossessed since the introduction of British power: while others had been alarmed or offended by the annexation of Oudh. Here and there they had, accordingly, participated in the revolt of the sepoys, sometimes as territorial chiefs, oftener as simple individuals. Added to this, there was no doubt a very general sulkiness among the more old-fashioned and orthodox; a feeling that they were being gradually enveloped, and crowded out, by a pushing, sceptical race of strangers, worshippers (as it appeared) of three gods, yet governing and educating the people of India on atheistical principles. And, to men thus judging, it seemed that the only chance of preserving the purity of their religious creed and the independence of personal self-respect, was to hold aloof: to avoid touching the accursed thing: to seclude themselves from intercourse with the intruders, and to keep their children from being corrupted by the impious modern learning, including the language in which it was sought to be conveyed. This it was, rather than the indiscriminate contempt spoken of (and partly justified) by Saiyid Ahmad, which really formed the chief motive, and partial vindication of the reserve maintained by the Anglo-Indians of the better sort towards the Muslim section of the native community. And this it was, accordingly, which this benevolent, earnest, and thoughtful man, found himself engaged to destroy.

Soon after his return from England he started a journal, entitled *The Muhamadan Social Reformer*, published in the vernacular, and devoted to combating the religious prejudices of his fellow-countrymen against the acquisition of modern learning and science. When it is borne in mind that he was, as he still is, a faithful follower of Islam, and that he has—never himself acquired a mastery of English, it is impossible not to admire the unselfishness with which, for a period of nine years, he continued this labour. What he had to contend with, may be partly imagined by those who have read the notice of him in Mr. Escott's *Pillars of the Empire* (London, 1878). The heads of the Church at Mecca denounced him in the strongest terms; and many of the Indian Muslims, convinced that he was Antichrist, obtained from that supreme seat of orthodoxy, a decree authorising his assassination. About the time of Lord Mayo's lamented death, a fanatic followed the Saiyid as far as Lahore, with murderous intentions. The

Saiyid took no precautions, but the project failed for want of heart on the part of the would-be murderer.

At length, in less time, indeed, than that taken by most reforms, a change came over both parties. It rests on the testimony of Colonel Graham, himself a high official in the Police of Hindustan, that a wholesome change was wrought in public opinion. "Muhamadan ideas throughout India have brought them in accord with their rulers; and Saiyid Ahmad's services in this direction are more valuable than his personal services during the Mutiny." The College which he has founded at Aligarh has received the suffrages of persons in such different situations as the late Sir Salar Jung, Prime Minister of the Nizam's dominions, and Sir William Muir, the present Principal of the University of Edinburgh; and Mr. W. W. Hunter, the greatest of Indian literary men (who had once contended against the Saiyid, that Muhamadans were bound by their religious tenets to be the opponent of British sway in Hindustan) has borne the most eloquent witness to the Saiyid's success. Anticipating a little the sequence of time, let us read a few extracts from Mr. Hunter's speech on visiting the College, as President of the Education Commission in August 1882.

"Gentlemen," he said, "it is because this College, in which we are now assembled, forms the greatest and noblest effort ever made in India for the advancement of Muhamadan education, that the Commission have determined to hold its first session for the North-Western Provinces at Aligarh. We hope that our presence here will be taken as our public tribute of admiration to this splendid example of self-help You, who have built this College, will bequeath a noble monument to posterity. You will leave behind you a magnificent memorial of the reconciliation of races; a monument of beneficent energy, and one which will continue for ever a centre of the highest human efforts, vocal with young voices, alive with the hopes and aspirations of young hearts This is a noble work for a mortal to have done upon earth I believe that, very shortly after the country had passed to the Crown, when men were still embittered by the memories of the catastrophe which preceded the transfer, it entered into the heart of our friend, the Hon'ble Saiyid Ahmad, to commence this great work of conciliation. During the first ten years he bore with many disappointments, and made little visible progress with his self-assigned task. He had to give up some of his own views, to make fresh departures, to submit in silence to indifference and disapproval, to the cooling of old friends, and the injurious babble of ignorant enemies. But he never for a moment lost heart: slowly but surely his cause ad-

vanced. Men came to believe in him—because he believed in his work.”

Ten years is not a long period in a man's life, and a man's life is a very short period in the life of a community. To few men, indeed, is it given to see the fruit of their labours; but the Saiyid is of that fortunate few. The speech from which the above manly words have been taken, forms a valuable testimony of the point to which the Saiyid had risen. He had solved the problem of Muslim education, showing that the youth of that hitherto irreconcilable community could be wedded to oriental culture without compromising their hereditary creed. He had shown, to suspicious Europeans, of whom Mr. Hunter had once been the most intelligent representative, that it was possible for men to be orthodox Muslims at the same time that they were loyal subjects of the British Empire.

A member of the Viceroy's Council, honoured by the leaders of the Hindu community, and the more intelligent and sympathetic of the European statesmen of India; victorious, gradually, over the prejudices of his own co-religionists; with a decoration for himself and a seat on the High Court Bench for his son, was the Saiyid satisfied? Far from that: in 1883 we find him still striking the sad old chord. This time it is in regard to the volunteer movement. “In not allowing the Natives to become volunteers,” he wrote in a private letter, “the Government mean to say that they do not yet trust the Natives . . . There exists yet a wide gulf between Europeans and the Natives of India; and unless it be filled up, nothing can secure the prosperity of the country.” That is what is meant by the old chord, the key-note for ever struck: not one of resentment for the past and present, but of anxiety as to the future. The Saiyid is an example to European patriots: he does not seek to traffic in hereditary hatreds: he preaches peace with an earnestness that might shame most Christians.

To return to the chronologic order: in the first month's after his return from Europe, the Saiyid persuaded some of his co-religionists to join him in a committee for inquiring into the question of Muhamadan education. Their first step was to offer three prizes for essays on the subject; and in answer to this offer, they received thirty-two papers. From these it appeared that the reasons which operated with the average of the Faithful in opposing the educational policy of the Government, were hardly “reasons” at all, in the strict sense of the word. Nevertheless, being grounded on prejudices which the Muhamadan inherited with his blood, and which formed, so to speak, part of his moral nature, it was necessary that they should be taken into consideration.

The old English adage teaches us the impossibility of making a horse drink ; and, if these prejudices were what they were represented to be, they could not be neglected by the guardians of the Pierian spring. The Saiyid and his associates judged that the objections were genuine ; and the success of the scheme which they accordingly prepared has shown that they were right. A compromise was effected, quite in the national spirit of Englishmen. At a meeting held at Benares, where the Saiyid was then serving, it was resolved to offer a sort of middle term to those Musalman parents and guardians who, finding the old system of instruction inadequate, were still unprepared to close with the completely secular system of the State. A Committee was constituted in April 1872, which recognised that Musalman education should embrace the language, literature, and science of England, in combination with the law, jurisprudence, and theology of Islam ; and the result was the foundation of the Anglo-Muhamadan College of Aligarh, which was opened for work in the summer of 1875, although the buildings, ten years later, were still far from complete.

In 1876, after thirty-seven years of public service, Saiyid Ahmad retired upon his well-earned pension ; and, settling at Aligarh, devoted himself, henceforth exclusively, to the care of his nascent institution. Sir William Muir, the then learned and energetic Lieutenant-Governor, paid an inaugural visit to the College soon after, and on that occasion mentioned that Lord Northbrook, then Viceroy, hoped to be able to lay the foundation-stone of the new buildings. By the time, however, that matters were ready for the ceremony, Lord Northbrook had left India ; and the duty devolved on the new Viceroy, Lord Lytton. It took a large space in the public mind, the founding of these buildings. The season was that fair time, hardly to be met with anywhere else, which just succeeds Christmas in Upper India. The winter rains had refreshed the face of nature ; the trees were in their fullest leaf ; European flowers were coming out in the gardens ; the sun was shining with a mellow ray ; in the wide grounds of the new College a crowded assembly, chiefly Musalman, was awaiting the arrival of the Viceroy. At twelve o'clock His Excellency appeared, attended by Lord Downe and his viceregal staff, and a cortege of distinguished persons, not only from the adjacent districts, but also from the Punjab, the Deccan and Bengal Proper. After an address had been read by the Saiyid's eldest son (the quondam Cambridge student, now a Puisne Judge of the High Court, N. W. P.) Lord Lytton declared the pleasure that he felt, and the interest, present and future, that the Government took, and would continue to take, in the institution. With that tact and scholarship which distinguished him from

most, even of the greatest, men who have filled his office, Lord Lytton referred to the past stories of Muslim civilisation, and to the benefits that mediæval manners and science had received from the followers of Islam, and he exhorted the modern Muhamadans of India to "seek new fields of conquest, and fresh opportunities for the achievements of a noble ambition." The ceremony was graced by the presence of Lady Lytton, Lady Downe, and other ladies. In the evening there was a dinner, at which about sixty guests were present, of whom half were Europeans, and the evening was closed with some toasts, heartily supported and received.

Such was the 8th January, 1877, at Aligarh, a day to be long remembered there. Next year the Saiyid received further recognition from Lord Lytton. Just twenty years before he had named the want of Native representation in the Legislature as the fundamental cause of the revolt of Fifty-seven. He was now to show, by his own example, how much good could be done by an earnest Native Member, even when he did not speak, or even fully understand the language in which the Council conducted its business and its debates. He retained his seat for two years, and was afterwards nominated a second time by Lord Ripon in 1880. During the four years for which he served in all, he did much useful work, and was particularly serviceable in regard to the "Deccan Ryots Bill," and that for introducing Compulsory Vaccination. On each occasion he was in favour of State interference, and the opponent of *laissez faire*. And it is a notable sign of his catholicity of spirit, that he never confined himself to Muhamadan sentiments, but strenuously endeavoured to win the confidence, and represent the feelings, of the Hindus also. In his place in Council he did what must be the most difficult thing in the world for an ardent reformer, approaching his seventh decade. He avowed a complete change of opinion in regard to a very fundamental item. He admitted that he had once been in favour of making the vernacular speech a main channel for the communication of modern science and learning; writing pamphlets, and founding, as we saw above, a society for the purpose. But he now acknowledged the fallacy of those opinions. He felt, he said, "the soundness and sincerity of the policy adopted by Lord William Bentinck, when he declared that, the great object of the government ought to be the promotion of European literature." As to the degree to which public instruction in India ought to be dependent on State aid, the Saiyid laid down, in the same debate, the principle, that the duty of the Government was "not to provide education for the people, but to aid the people in providing it for themselves." But here, as he admitted with characteristic candour, he was by no means

expressing the general sense of his countrymen. If we would consider the present state of India, we should have to "acknowledge that there are innumerable difficulties which threaten with failure" any immediate attempt to leave the people to their own resources in this behalf. In this connection may be mentioned a little fact, which is very much to the credit of the Saiyid's calmness of judgment. It has been stated that Sir W. Muir, when Lieutenant-Governor of the N.-W. Provinces, had attended a sort of inauguration of the Aligarh College in 1875. On that occasion he had volunteered to introduce a recommendation of a system of instruction for girls. Unmoved by the obvious irrelevancy of his suggestion in the midst of a ceremony connected with the education of boys, the Saiyid had the patience and courtesy to let it pass at the time. But in 1882, when examined as a witness before the Ripon Commission, he found, at last, his opportunity. In a long and argumentative answer to a question by a Member of the Commission, which will be found at p. 323 of Col. Graham's book, he produced the following unqualified conclusion:—

"Any endeavours on the part of Government to introduce female education amongst Muhamadans will, under present social circumstances, prove a complete failure, so far as respectable families are concerned; and, in my humble opinion, will probably produce mischievous results."

Another point in the Saiyid's character came out in the events of the same year. In May 1882, he was honoured by a visit from the able and enlightened Minister of the Nizam, the late Sir Salar Jung. Invited to return the visit, the Saiyid shortly after, went to Hyderabad, where entertainments of all kinds were tendered by the Native nobility. With rare modesty and unselfishness, he declined them all, only stipulating that their estimated cost should be consecrated to the College. The result was an addition to the funds of the institution of the respectable sum of thirty-thousand rupees.

In the spring of 1884, the Saiyid made a tour in the Punjab. Pursuing his usual disinterested course, he deprecated all personal attentions and receptions, and received, indeed, very considerable donations to the College funds, not only from his co-religionists, but from Sikhs and Hindus. In the course of replying to an address presented to him by a National Association at Lahore, he took notice of this, and made it the occasion of a warm recommendation of union between the Hindus and Musalmans, so long divided by political and religious dissension. In the autumn of the same year he was presented to H. R. H. the Duke of Connaught, by the present enlightened ruler of the N.-W. Provinces, Sir A. C. Lyall, and shortly after entertained the new Prime

Minister of Haidarabad, the son of his former friend, Sir Salar Jung, and inheritor of his title, his office, and his virtues. On this occasion the young statesman, on behalf of his Government, announced a permanent grant to the College of Rs. 9,000 a year. A dinner, at which Englishmen and Natives fully patronised, formed the conclusion of the proceedings. Shortly after this the College was visited by Lord Ripon, on which occasion His Excellency delivered a speech which is equally entitled to praise from his opponents and from his habitual supporters. Whatever opinion may be held of the late Viceroy's talents, capacities, and general claim to be regarded as an exceptional benefactor of India, there can be only one sentiment as to the propriety of his endorsement of the sayings and doings of Lord Lytton, and other Anglo-Indian statesmen, in regard to the reforms and the character of Saiyid Ahmad. And equally worthy of notice is the address presented to His Excellency on that occasion, in which the rise and progress of the College were succinctly stated, and a clear account was laid before the head of the Government of the motives, principles, and hopes by which the movement was inspired and actuated. This document, together with the Viceroy's answer, will be found textually reported in Col. Graham's book.

The annual income of the College is now Rs. 44,000 per annum, a large sum in native society, where four rupees a month is an income for a family. There are about 270 students, sent from all parts of the vast peninsula, and comprising many Hindus. The buildings, now approaching completion, are on a vast scale, the principal quadrangle being more than one thousand feet long and more than five hundred broad. The grounds cover one hundred acres. Each student is provided with his own suite of rooms, and the total cost of his board and education is only about £25 a year. Such a foundation marks an epoch in Indian History, and is likely to preserve its founder's memory to a late posterity, especially amongst races so grateful and so affectionate as those of Hindustan.

The private character and conduct of Saiyid 'Amhed are as blameless as that of the simplest and most indistinguished citizen. Like his father before him, he conforms to the apostolic ideal in being the husband of one wife. In his hospitable bungalow at Aligarh, are to be found all the comforts of civilisation; but the Saiyid himself is of most abstemious habits; and though almost a septuagenarian, and weighing nineteen stone, is of ceaseless activity and unbroken health.

Such is a rapid sketch of the career and character of the man who has undertaken the regeneration of Islam in India.

What the task implies can hardly be understood by Englishmen. The system of the prophet was religious, civil, military and social. Of the first, a general notion forms, of course, a part of every educated man's mental stock—though even of Islam as a religion, very imperfect, and even distorted notions often occur in books. As a military system, Islam has degenerated since science has been introduced into warfare; but as a state of society and body-politic, it is a very widely-spread and very tenacious institution. From Morocco to Eastern Turkestan, sometimes supreme, sometimes subject, this singular system, born in Arabia Felix, continues to influence vast multitudes of men. Its main peculiarities are Liberty, Equality, and Fraternity; not in the hysterical vagueness of European republicans, but in the calm persuasion of fatalists. But joined to these strong principles are elements of weakness: the seclusion of women, polygamy, and a theocratic conception of law.

Saiyid Ahmad's mission does not deal directly with the first two; although, personally, he dissents from both. If polygamy and the *parda* are the deleterious social items that we believe them to be, they will probably be gradually and indirectly modified by the culture that he is giving the Muslims, at least in India. So it was in mediæval Spain, where the Moorish knights went forth from Granada to encounter the Gothic chivalry of Castile, with their mistresses' colours on their crests. But the great question, besides which all others are but as the leaves beside the branches of a tree, is this: Is Islam a direct code, revealed from heaven, a "categorical imperative," as to which there can be neither adapting or modifying, neither adding or taking away?

That this is so has hitherto been the orthodox theory, whatever may have been the practice. Doubtless, accretions have been permitted, and schools have sprung up which have caused some variation. This is shown by the mere existence of the Wahábis, those puritans of Arabia, whose attempted reformation has been more than once described, and of which the Saiyid himself has drawn out an intelligent and sympathetic summary in the pages of a pamphlet, from which Col. Graham gives copious extracts. But more than that is needed before Islam can become progressive and be reconciled with the general Evolution of Humanity. When a code of law and a system of social ethics, moulded upon the habits of a race of shepherds, living in tents, under a sub-tropical sky, has been imposed as of divine origin, it is difficult to see how the followers of such institutions are to adapt themselves to life in other and very different conditions. Yet the problem has been solved by the Jews. If an Israelite can

be a member of English society, and of the British Parliament, and yet profess to follow *Leviticus*, it is plain that there must be some compromise possible between the theory of an antique theocracy and the progressive practice of civilisation.

That compromise appears to be the ideal of Saiyid Ahmad. Himself a trained Muslim lawyer, and an orthodox follower of the Koran, he studies the Bible, and has passed the greatest part of his life in administering Anglo-Indian law, that most modern and secular development of Benthamism. His sons have been educated in England: his house is open to European visitors: his college teaches the mathematics of Colenso, and the philosophy of John Stuart Mill. In such a compromise appears to lie the germ of India's future. Of the books to which reference has been made in this paper, the only one that need be further particularised is a manly, straightforward narrative by a British officer, who has studied Indian Muhamadans with intelligence and sympathy. There is about his book that atmosphere of reality which can only be given to such a subject by actual contact and observation. Colonel Graham is quite free from the Chauvinist bias sometimes found among members of the Anglo-Indian services, while at the same time he approaches the "Native" question without *parti-pris* and that singular mixture of ignorance, credulity, and hysteria which is too frequent among philanthropists who take that question up in England.

H. G. KEENE.

ART. III.—BUDDHA AS A MORALIST.

WAS not Buddha something more than a moralist? Was he not the founder of a religion of widespread sway and paramount influence on one, if not all, the continents of the world? Ought not his position as the originator of a new faith to have precedence of his position as a moral teacher? Why not speak of him first as a reformer of religion, and then as a reformer of morals? Our reply to these and other questions of the sort is, that Buddhism, as taught and promulgated by its founder, was a morality, rather than a religion. The main ingredients of religion, with, perhaps one exception, did not enter into its texture, or constitute its essence.

Buddhism, as originally taught by Buddha himself, did not present, as every religion in the proper sense of the term does, and is moreover expected to do, a supreme object of worship, or objects of worship, super-ordinate, co-ordinate or subordinate. It did not initiate or sanction sensible forms of worship; and it was not associated with those elements of an established ritual, without which a positive religion can neither maintain its sway nor exercise its influence. It ignored the religious side of man's nature almost *in toto*; his sense of dependence on a higher power; his instinct of worship, and his irrepressible longing for the infinite. The only features of his religious nature it availed itself of, or utilized, were his hopes of future reward and his fears of future punishment; and on these it worked through the great doctrine of metempsychosis which it borrowed from Hinduism, and considerably modified. A system without a god or gods, prescribed forms of worship and ceremonial observances, may be the centre of a mighty influence; but it should on no account be dignified by the appellation of religion. Dissociated as Buddhism admittedly was, during at least the life-time of its founder, from all, or almost all, the characteristic elements of a system of religious faith, it was in its original type a morality—a morality based on a philosophy—but not a religion.

Buddhism, however, became a religion, not long, if not immediately after its author's death; and it thereby demonstrated the futility of every effort systematically or spasmodically put forward to taboo theology or extinguish the religious nature of man. Buddha preached, if he did not lay the foundation of, a system of rank atheism or agnosticism, but his ashes had scarcely become cold, ere his creed of chilling negation or agnostic nescience was transformed into a positive faith by an act of apotheosis by no

means unnatural. The preacher of absolute scepticism in matters of religion was himself changed into a god, and worshipped as an incarnation. The places he frequented, his favorite haunts, became sacred spots of pilgrim devotion ; his footprints were traced and adored, and the supposititious remnants of his cremated body, gave rise to a complicated system of relic-worship, and as the system spread—extended its sway from province to province and country to country—its propensity to worship developed into a craze ; and diverse and conflicting forms of devotion were borrowed, along with shapeless masses of ceremonial observance, without discrimination, from the varied systems with which it allied itself and incorporated with its substance, till its original type was lost beneath heaps of foreign and heterogeneous accretions.

The successive changes through which Buddhism passed in its gradual transformation from a scheme of austere morality into a shapeless conglomerate of conflicting creeds and jarring forms of worship, cannot be indicated with anything like historical accuracy. But it may justly be assumed that the idea of a roll of prophets terminating, at least temporarily, in Buddha, did enter into its original conception. The prayer he is said "to have offered to all the Buddhas" at the threshold of his career of investigation and reform, is an index to his faith, that a succession of revered teachers had risen and flourished before his own era. Again, when remonstrated with by his father on account of the disgrace which, in the father's opinion, the son was bringing upon his royal race by begging in the very heart of Kapilavastu, Buddha is reported to have answered thus :—"You and your family may claim descent from kings ; my descent is from the prophets (Buddhas) of old, and they, begging their food, have always lived on alms." Add to this the fact that in becoming an ascetic, he did not originate and exemplify a new idea, but followed, on the contrary, an example set by a monk of dignified gait and peaceful countenance walking before his own eyes, and the conclusion becomes irresistible, that he believed in an apostolic succession, of which he represented himself as a link.

This germinal idea of the system was gradually expanded and sublimated, and it led to a rank outgrowth of philosophy and mysticism, as well as of legend and fable. But in its original form it could not have been materially different from what Buddha himself is reported in *Tevigga-Sutta* to have said, in these words :—"Know, Vasettha, that (from time to time) a Tathagata is born into the world, a fully-enlightened one, blessed and worthy, abounding in wisdom and goodness, happy, with knowledge of the world unsurpassed, as a guide to erring mortals, a teacher of gods and men, a Blessed

Buddha." It is to be noted here that if the Buddhas spoken of in this extract had been represented as sent by God, and not as self-raised and self-constituted prophets, the root idea of Babu Keshab Chunder Sen's New Dispensation, the idea of a roll of prophets, each rising with the flag of a fresh economy to resuscitate religious and moral earnestness at a time of general degeneracy, would have been noticable therein.

This galaxy of prophets became objects of worship in the Buddhist Church, but not perhaps till Buddha himself had been made a centre or goal of supreme devotion. The claims which Buddha is said to have advanced, could not but lead to his apotheosis amongst the undiscerning masses of his disciples, while the discerning few had every reason to foster an act of worship from which they themselves were to reap a harvest of personal gain. In the *Maha-Parinibbana-Sutta*, he is reported to have said thus of himself:—"What, then, Ananda, is this mirror of truth? It is the consciousness that the elect disciple is in this world, possessed of faith in the Buddha—believing the Blessed one to be the Holy one, the Fully-enlightened one, wise, upright, happy, world-knowing, supreme, the bridler of men's wayward hearts, the teacher of gods and men, the Blessed Buddha." In other self-laudatory declarations in this book, he calls himself "The Light of the World:" "The Eye of the World"; not only "the Blessed one" but the "Happy one." The books recently translated by Rhys Davids literally abound with such expressions of commendation or reverence. In the *Tevigga-Sutta* we have this eulogium pronounced:—"Now regarding that venerable Gautama, such is the high reputation that has been noised abroad, that he is said to be 'a fully enlightened one, blessed and worthy, abounding in wisdom and goodness, happy, with knowledge of the world, unsurpassed as a guide to erring mortals, a teacher of gods and men, a blessed Buddha.'"

The Buddhistic rage for worship did not spend itself on Buddha and his illustrious predecessors. The Dharma, or the Law, though only an abstraction, became in process of time, an object of worship, as well as each and every one of the prophets by whom it had been from time to time promulgated. Buddha, while representing himself as a frail mortal, destined to play his part and disappear for ever, and while speaking of his approaching death in terms of pathetic import, held up the Law as an abiding principle, without beginning, without ending, everlasting and inscrutable. In one of his last discourses he is reported to have spoken thus:—"After my Nirvana ye ought to reverence and obey the Law; receive it as your master, or as a light shining in the darkness, or as a precious jewel—the Law that I have given, this ye ought to obey and follow carefully,

regarding it in no way different from myself." This extract is found in Beal's "Buddhism in China," and reminds one of several such sayings in the *Maha-Parinibbana-Sutta*. Bigandet begins his chapter on the precepts with these words: "Our author, in a truly philosophical spirit, at first puts to himself the three following questions: What is the origin of the Law? What is man, the subject of the Law? What is the individual who is the promulgator of the Law? The three questions he answers in the following manner: 1st, all that exists is divided into two distinct parts, the things which are liable to change and obey the principle of unstability, such as matter, its modifications, and all beings which have a cause; and those which are eternal and warrantable, that is to say, the precepts of the Law and Nirvana."

This conception of the moral law is materially different from what is ventilated in these days by our modern agnostics, who look upon it as a sort of mechanism of expediency, manufactured for the convenience of society, and therefore changeable as the accidents of social life are, and in whose opinion, what is virtue in a particular age, or under a particular sky, may be vice under altered circumstances. The Law, according to Buddhism, is based on the eternal fitness of things, and the ground of its obligation is, not a divine authoritative proclamation, but its promulgation by a self-raised or self-constituted teacher. The Law, according to Buddhist belief, is our only guide, and when on account of our systematic disobedience thereto, it is buried under heaps of error, a Buddha appears to revive it, and re-establish its prestige and influence.

But not only was the Law, but the Sangha, or the Assembly of mendicants or priests, converted into an object of worship. The Buddhist confession of faith, as given by Hardy in his "Legends and Theories of the Buddhists," runs thus:—

Buddhan saranan gachchami. I take refuge in Buddha.
Dhamman saranan gachchami. I take refuge in the Law.
Sanghan saranan gachchami. I take refuge in the Priesthood.

The same is given in the *Dhammapada* in these words:—

"The disciples of Gaudama are always well awake. Their thoughts are day and night set on Buddha."

"The disciples of Gaudama are always well awake. Their thoughts, day and night, are always set on the Law."

"The disciples of Gaudama are always well awake. Their thoughts, day and night, are always set on the Church" (the Sangha or Assembly.)

Thus a system of atheism became, almost immediately after the death of its founder, a system of polytheism; no-worship became worship of a great teacher, an abstraction, and a whole host of lazy, filthy, vicious mendicants!

But the process of apotheosis did not stop here. Buddhism carried out a conciliatory foreign, as well as a wise domestic, policy. It not merely gave an impetus to the religious instincts of its followers by drawing them, in spite of its essential principle of atheism, towards a solemn adoration of its recognised trinity of the Buddha, the Dharma and the Sangha; but it conciliated the religious beliefs of the country, by grafting upon its own system a great deal of its current philosophy, and sanctioning thereby its idolatrous worship. It received, with open arms, the pantheistic speculations of our Indian philosophers, and represented "all the Buddhas" as emanations from a primal spirit, which is called Adi-Buddha. Being the absolute and the unconditioned, this all diffusive spirit cannot maintain direct intercourse with created beings or things; and an intermediate agency, consisting of Dhyani Buddhas, their Bodhisatwas, and human Buddhas was called into existence; and the present era of the present Kalpa, or the long period intervening between the commencement and destruction of one mundane system, was placed under the special charge of the Bodhisatwa, called Avalokitesvara, who is called the "All-sided one," and who appears in varieties of forms to instruct and console men. In chapter xxiv of "*Saddharma-Pundarika*," translated by H. Kern, and published in Max Müller's series of "Sacred Books of the East," we have a glimpse presented to us of the mode of teaching, adopted by this emergent deity, in these words :—

"Again the Bodhisatwa Mahasatwa Akshayamati said to the Lord: How, O Lord, is it that the Bodhisatwa Mahasatwa Avalokitesvara frequents this Saha-world? And how does he preach the Law? And which is the range of the skilfulness of the Bodhisatwa Mahasatwa Avalokitesvara? So asked, the Lord replied to the Bodhisatwa Mahasatwa Akshayamati. In some worlds, young men of good family, the Bodhisatwa Mahasatwa Avalokitesvara preaches the Law to creatures in the shape of a Buddha; in others he does so in the shape of a Bodhisatwa. To some beings he shows the Law in the shape of a Pratyeka-buddha; to others again under that of Brahma, Indra and Gandharva. To those who are to be converted by a goblin, he preaches the Law assuming the shape of a goblin; to those who are to be converted by Isvara, he preaches the law in the shape of Isvara; to those who are to be converted by Mahesvara, he preaches assuming the shape of Mahesvara. To those who are to be converted by a Chakravartin, he shows the Law assuming the shape of a Chakravartin; to those who are to be converted by an imp, he shows the Law under the shape of an imp; to those who are to be converted by a Senapati, he preaches in the shape of a Senapati; to those who are to be converted by assuming,

a Brahman, he preaches in the shape of a Brahman; to those who are to be converted by Vagrapani, he preaches in the shape of Vagrapani."

This extract shows how adroitly Buddhism was mixed up with the prevailing philosophy and superstitions of India, the series of approximations or advances by which it completed its amalgamation with Hinduism. The same accommodating policy was pursued in all the countries, small or great, in which this Protean system spread; and it was, therefore, as a religion intermingled with every form of faith professed in Asia, from flighty transcendentalism down to grovelling superstition, that it succeeded in propagating itself. The propagation of Buddhism has been invested with the significance attached to the early promulgation of Christianity; but it has been overlooked, that while our holy religion fought its way to victory and ascendancy, through obstinate opposition stirred up by its avowed and uncompromising antagonism to the prevalent forms of faith, Buddhism spread itself by losing its idiosyncrasy, allying itself with opposing creeds, and steadily carrying out a policy of suicidal compromise and concession. A flexible creed in conjunction with a lax accommodating principle of propagandism is the secret of the success of all philosophico-moral creeds, from Buddhism and other cognate systems of the ancient world, down to Brahmoism and other cognate systems of these days!

This brief sketch of the tortuous way in which Buddhism developed into a religion or rather a farrago of conflicting faiths, may be denounced as having but a remote and shadowy connection with the subject of this paper; but its importance will be admitted by those who look upon it as an argument, discursive indeed but not the less conclusive, in favor of our position, that Buddhism, as originally preached by its founder, was a morality, rather than a religion. Even Max-Müller represents the revolution it initiated, if not accomplished, during the lifetime of its author, as a social and moral, rather than a religious revolution. Its tone was like that of theosophy in these days: a tone of conciliation and tolerance, nay, even of praise and flattery; but as it had not a religion fitted to stir up the natural hostility of the human heart to things heavenly and divine in its way, its career was thoroughly consistent with its professions. It called attention to a new or revived scheme of social regeneration, which might work its wonders under cover, so to speak, of every shade of theological belief, or every form of religious practice.

But we now come to our text—Buddha as a moralist. The scheme of morality propounded by Buddha has, like his character, been made the subject of indiscriminate, extravagant

eulogy. Max Müller thus speaks of it in his essay on Buddhism in the first volume of his "Chips from a German Workshop":—"The most important element of the Buddhist reform has always been its social and moral code, not its metaphysical theories. That moral code taken by itself is one of the most perfect which the world has ever known." Edwin Arnold in his poetic-prose, or prose demanding as much license as poetry, thus speaks of Buddha's doctrine:—"In point of age, therefore, most other creeds are youthful compared with this venerable religion, which has in it the eternity of a universal hope, the immortality of a boundless love, an indestructible element of faith in final good, and the proudest assertion ever made of human freedom."

From this lofty table-land of glowing panegyric let us come down to the sobriety of tone and nicety of discrimination with which the moral teaching of Buddha is praised by writers like Hardy and Bigandet. Beal in his translation of the Dhammapada thus records the opinion of the former:—

"Mr. Spence Hardy has observed that a collection might be made from the precepts of this work, that in the purity of its ethics could scarcely be equalled from any other heathen author." The latter observes in his preface to the first edition of his work "The Legend of Gaudama":—"Though based upon capital and revolting errors, Buddhism teaches a surprising number of the finest precepts and purest moral truths. From the abyss of its almost unfathomable darkness, it sends forth rays of the brightest hue."

We occupy the lower of these two platforms of commendation, and we hope to prove in this paper that the morality taught by Buddha is, not merely imperfect as his character, but *essentially monastic*, and therefore unsocial and unearthly. But one or two points in connection with his teaching ought to be noticed before we present our array of quotations and proofs in favor of this assertion.

And the first of these is indicated by the question—What was Buddha's attitude towards the caste system which was being organized and solidified in his age? Did he declare a war of extermination against the growing monster, and substitute for it the grand doctrine of the essential unity and brotherhood of man? At first sight it would seem that he did. The Buddhist account of the fall of man is fitted to set forth the essential unity of the race. At the commencement of the present collocation of things or the mundane system, the Brahmas of etherial regions came down, when the fruits of their work had been exhausted, and appeared on the stage of human history, "produced by apparitional birth." They were sinless and happy; they subsisted

without food, and their bodies, free from the germs of disease and death, were radiant with a supernal glory, such as rendered the creation of a centre of light—such as the sun or the moon—unnecessary. But one of these blessed individuals ate in an evil hour a little of “a peculiar substance like the scum that arises upon the surface of boiled milk,” which had appeared on the surface of the globe. The others followed his example, and the whole set fell, and lost the peculiar radiance of their ethereal bodies, and became subject to disease and death. Then they assembled to create the sun, moon and the five planets to illuminate the world by day and by night; and this they were enabled to do “by their united Karma.” They began, moreover, to eat with different degrees of avidity other terrene productions, and thus introduced that variety of colors which has been a perennial source of race-antagonism and class animosity in this world. Then arose amongst them squabbles and fights, to obviate which they made one of their number their king, and called him Kshatriya, “and his descendants retained the same appellation.” To suppress, however, the crimes which were still committed, the caste of Brahmans was organized, the word Brahman meaning, according to the atheistic interpretation of Buddhist documents, “suppressors.” And finally those who were “skilful in arts” formed the Vaisya caste, and those who were “addicted to hunting” constituted the Sudra caste. The essential difference implied in the evolution of the castes from the higher and lower portions of the Divine Body, or the higher and lower elements of the Divine Substance, is denied in this account presented in Hardy’s “Manual of Buddhism.”

Again, in some of the utterances ascribed to Buddha, caste-distinction is not recognized, but declared to be incompatible with the spirit of his faith. “As the four rivers which fall in the Ganges lose their names as soon as they mingle their waters with the holy river, so all who believe in Buddha cease to be Brahmans, Kshatriyas, Vaisyas, and Sudras.” Again—“Between a Brahman and a man of another caste, there is not the same difference as between gold and a stone, or between light and darkness. The Brahman is born of a woman, so is the Chandala. If the Brahman is dead, he is left as a thing impure, like the other castes. Where is the difference?”

Quotations, moreover, may be multiplied to show that Buddha, in his dispensation of rewards and punishments within the precincts of his Order or Church, was guided by a scrupulous regard to what constitutes *essential*, in contradistinction to *accidental* difference.

But it ought not to be forgotten that Buddha did not fight a crusade against the caste rules of the country—he only set

his face against their introduction into his own Order. Nay, his lay-disciples were left in caste chains, as well as in varieties of other chains, unmolested or intact. The spirit of cautious opposition, not uncompromising antagonism, by which he was animated, is revived in the Brahmo Church, where, while the ordinary members are at liberty to conform to caste rules and wear caste badges, the initiates are required to cast them aside.

Nor ought it to be forgotten that in setting aside caste-distinctions within the precincts of a monastic order, Buddha did not oppose or rise above the ancient traditions of the country. Since the beginning of days, the mendicant orders in India have been organized on principles looked upon as positively dangerous within the framework of general society; and the foremost of these principles is non-recognition of caste-rules and distinctions. The phenomenon of small coteries of recluses professing sceptical principles, and laughing at established institutions, under the shade and with even the consent of the national faith, has never been rare in this country.

In his opposition to the caste-system Buddha, as a recluse, was no innovator. Perhaps his opposition was partial, not wholesale, directed against the growing ascendancy of the Brahmanical caste, with which his own caste was evidently competing, or rather, contending for supremacy. He often represented his own caste as superior to the sacerdotal, and he sanctioned some degree of caste-pride when he placed the Buddhahood beyond the aspirations and attainments of any but a member of the first two castes. Our authority for this statement is Hardy, who, in his "Legends and Theories of the Buddhists" says—"We can scarcely think that one who set himself so strongly against the pretensions of caste, would render to it the greatest homage in his power, by declaring that the Buddhas are always born of the two highest castes, the Kshatrya and the Brahman."

The second point worthy of notice is indicated in the question—What was Buddha's source of revelation? His source of revelation was intuition, rather than the Veda, which he repudiated on the ground on which the New Testament is set aside by Mussulmans, *viz.*, the corruption of the text by interpolation and expurgation. He could not, of course, look upon it as a divine revelation tampered with by profane hands; but he was disposed to identify the essence of it with that Law, the eternity and immutability of which he maintained, and which he discovered, not by a careful study of the book and a rigid application thereto of the approved canons of criticism, but by meditation. Max Müller identifies Buddha with the mystics of our own and other lands, who professed to see God in a state of elevation and ecstasy to which they had been

raised by subjective meditation ; but surely there is no ground for such identification. Buddha certainly claimed immediate cognition of the principles of his Dharma, and estatic vision of etherial and even infernal spirits ; but he never professed to see a being whose existence he did not believe in, and the current theory regarding whom he was disposed to throw beyond the pale of scientific investigation into the region of inscrutable mysteries. He sometimes spoke of Brahma or Sakra, and professed to hold intercourse with him ; but Brahma was, in his opinion, merely the king of the heavens, who had begun to live and was destined to die ; not the eternal, unchangeable Being called God. Brahma, moreover, was represented by him as inferior to himself in knowledge, power, and approximation to the blessed state of Nirvana !

His entire system was evolved from his inner consciousness ; and if he had only confined himself to moral teaching, and left history, chronology and science intact, as well as theology, his position would have been unassailable, to a great extent, if not completely. But he claimed universal knowledge, and evolved scientific, as well as moral truths from his inner consciousness ; and the result was, that he combined with maxims of pure morality, errors the most grotesque and extravagant. Read the following explanation of "a mighty earthquake," given in *Maha-Parinibbana-Sutta* :—

"Eight are the proximate, eight the remote causes, Ananda, for the appearance of a mighty earthquake."

"What are the eight?"

"This earth, Ananda, is established on water, the water on wind, and the wind rests upon space. And at such a time, Ananda, as the mighty winds blow, the waters are shaken by the mighty winds as they blow, and by the moving water the earth is shaken. These are the first causes, proximate and remote, of the appearance of a mighty earthquake."

Then follow a specific statement of the ways in which earthquakes are produced, by beings endowed with supernatural powers, by meditation, and of the times and seasons when they must occur, such as the birth of a Buddha, his attainment of Buddhahood, his death, &c.

Read also the following explanation of an eclipse of the moon given by Buddha himself in the *Sanyutta Nikaya, Saha Gatha Wagga*, and translated by Hardy :—"Thus I heard. Bhagawa was living in Swathi, in the garden Anatha Pindako. At that time the Moon-God was seized by the Asura Rahu. Then the Moon-God, remembering Buddha, spake this stanza: 'Adoration to thee, great Buddha! Thou art free from all impurities. I am distressed. Become thou a refuge to me.'"

What would have been the attitude of the modern world if any thing answering to a mistake like this had escaped the lips of our Lord and his apostles? How many heads would have shaken! How many fingers stretched forth in derision; and how many tongues let loose!

One point more, and our preparatory discourse is over. Buddha's method of teaching morality is simple and dignified, and reminds one of that adopted by our Lord. Like Christ, Buddha looked upon nature as a granary of symbolism, and brought out of its rich stores a beautiful array of imagery, or a garland of analogies fitted to illustrate the truths he had to teach; and like Christ, he looked upon the most ordinary events, or the driest details of life, as fraught with parabolic significance. Buddha scarcely saw a thing which he did not present as an apt emblem of a feature of the great truth he preached. A blazing fire reminded him of the lust which burns within the human heart; a dashing torrent suggested to his mind the headlong precipitancy with which man rushes to destruction; a solid rock typified the constancy of the firm believer, and a still lake spoke to him of the sweet tranquility of a soul emancipated from the raging thirst of life. He could not see an elephant guarding, or failing to guard his trunk, without calling attention to the necessity of guarding the human tongue; he could not see an umbrella spread without calling upon wandering man to take refuge in himself and the Law. He could not smell the sweet odour of a flower without speaking of the fragrance of virtue; he could not hear the melody of sweet-singing birds without emphasizing the harmony of an emancipated spirit. Like all great men, he looked at nature with the eye of a poet; and if he had not been entangled in the net of metaphysical subtleties, he would have seen the power of God, where he actually saw nothing but the operation of blind force.

His parables have been praised, and compared to those uttered by Christ. But the interval that separates them cannot be better presented, than by simply transcribing a couple of Buddha's parables, one from Davids' little volume on Buddhism, and the other from *Tevigga-Sutta*. "The first is the Parable of the Sower."

"In another of these stories which is before us, in three versions, from the Pali, Sinhalese, and Burmese respectively, we find the processes of agriculture worked out into an elaborate allegory. A wealthy Brahman, named Bharadvaja, was holding his harvest home when the Teacher comes and stands by with his bowl. Some of the people went up and paid him reverence, but the Brahman was angry, and said, 'Sraman (*i. e.*, mendicant,) I plough and sow, and having ploughed

and sown, I eat ; it would be better if you were, in like manner, to plough and sow, and then you would have food to eat' ?

" 'O Brahman,' was the answer, 'I too plough and sow, and having ploughed and sown, I eat.'

" 'You say you are a husbandman ; but we see no signs of it,' said the Brahman. 'Where are your bullocks and the seed and the plough ?'

" Then the Teacher answered, 'Faith is the seed I sow, and good works are as the rain that fertilizes it ; wisdom and modesty are the parts of the plough, and my mind is the guiding rein. I lay hold of the handle of the Law ; earnestness is the goad I use ; and diligence is my draught ox. Thus this ploughing is ploughed, destroying the weeds of delusion. The harvest that it yields is the ambrosia fruit of Nirvana, and by this ploughing all sorrow ends.' "

The following is taken from *Tevigga-Sutta*, and is entitled by the translator thus—"Man in Love."

"Just, Vasettah, as if a man should say, 'How I long for, how I love the most beautiful woman in this land !'

"And people should ask him, 'Well ! good friend ! This most beautiful woman in the land whom you thus love and long for, do you know whether that beautiful woman is a noble lady or a Brahman woman or of the trader class or a Sudra ?'

"But when so asked, he should answer 'No.'

"And when people should ask him, 'Well ! good friend ! this most beautiful woman in all the land, whom you so love and long for, do you know what the name of that beautiful woman is, or what is her family name, or whether she be tall or short, dark or of medium complexion, black or fair, or in what village or town or city she dwells ?'

"But when so asked, he should answer 'No.'

"And then people should say to him, 'So then, good friend, whom you know not, neither have seen, her do you love and long for ?'

"And then, when so asked, he should answer, 'Yes.'

"Now what think you, Vasettha ? would it not turn out that being so, that the talk of that man was foolish talk ?

"In sooth, Gotama, it would turn out, that being so, that the talk of that man was foolish talk ?' "

So far as the mere setting of Buddha's parables is concerned, some of them may be placed even above the parabolic utterances of our Lord ; but in clearness of diction, naturalness of analogy, range of thought, and depth of meaning, they are decidedly behind these. And besides a parable like that of the lost sheep, or the lost piece of silver, or of the prodigal son, human genius has never been able to conceive in thought or clothe in language !

Now, adverting to the morality proper of Buddha, a demarcating line ought to be drawn between its *essential elements* and its *accidental appanage*, before its real merit or demerit can be discovered and set forth. And it is because learned writers on the subject have failed to emphasize this distinction, that they have spoken in extravagant terms of praise of a scheme of morality which is, in its essence, nothing more or less than gloomy and repulsive monasticism.

The external appendage of the morality taught by Buddha is the moral code framed for the regulation of the domestic life and affairs of his innumerable lay-disciples. There is nothing very remarkable in that code, nothing fitted to set forth originality of thought, grandeur of conception, or energy of expression; and there is something in it savouring of puerility and nonsense, if not naked absurdity. But the code may nevertheless be justly pronounced humane and beneficent. The relative duties of domestic and social life are indicated with categorical conciseness of thought and expression; and the virtues of patience under trial, forbearance towards adversaries, and benevolence towards all, are taught and enforced. The only defect in it is its failure to discriminate between principles and rules, and its inclusion in a summary of moral principles what is properly placed under the head of sumptuary regulations. For instance, the relative duties of husband and wife are thus summarized:—

The Husband should cherish his Wife,

1. By treating her with respect.
2. By treating her with kindness.
3. By being faithful to her.
4. By causing her to be honored by others.
5. By giving her suitable ornaments and clothes.

The Wife should show her affection for her Husband,

1. She orders his household aright.
2. She is hospitable to his kinsmen and friends.
3. She is a chaste wife.
4. She is a thrifty house-keeper.
5. She shows skill and diligence in all she has to do.

All this reads like a statement of rules rather than of principles. The New Testament determines these and other reciprocal duties, in such directions as these:—"Husbands love your wives," "Wives be obedient to your husbands;" and it raises the ideal of married life by holding it up as a symbolic representation of the mystical union between the Church and her Lord.

Again, parents are directed, not merely to give their children a suitable education, and to look after their morals, but to "provide them with suitable wives or husbands," and "give them their inheritance" Pupils are directed to honor their teachers by (1) "rising in their presence" (2) "ministering to them;" (3) "obeying them;" (4) "supplying their wants," as well as by paying proper attention to their instruction.

The directions laid down for the treatment of servants, or perhaps slaves, are worthy of being reproduced at a time when maltreatment of servants is the rule, not the exception, in our country.

The Master should provide for the welfare of his dependents.

1. By apportioning work to them according to their strength.
2. By supplying suitable food and wages.
3. By tending them in sickness.
4. By sharing with them unusual delicacies.
5. By now and then granting them holidays.

But it is not at all necessary to set forth the praiseworthy features of this outer court of Buddhist morality, this code intended for persons who are called Buddhists only by courtesy, and who are entirely outside the pale of the salvation or deliverance preached by Buddha. An inferior species of salvation is, doubtless, allowed them, according to immemorial usage; but from deliverance from the evils of existence, from disease, and death, and sorrow, they are almost as thoroughly debarred as those who look upon Buddha as an impostor, and his system as a sham and a delusion. Family life, according to every principle of Buddhistic philosophy, is a hindrance, the most effectual conceivable, to growth in self-mastery and self-extinction, the virtues fitted to pave the devotee's way to *Nirvana*. In the *Tevigga-Sutta* we have this emphatic declaration:—"A householder, or one of his children, or a man of inferior birth, in any class, listens to that truth. On hearing the truth he has faith in the Tathagata (Buddha), and when he has acquired that faith he thus considers with himself.—'Full of hindrances is household life, a path defiled by passion, free as the air is the life of him who has renounced all worldly things. How difficult is it for the man who dwells at home to live the higher life in all its fulness, in all its purity, in all its bright perfection! Let me then cut off my hair and beard; let me clothe myself in the orange-colored robes, and let me go forth from a household life into the homeless state!'—Then, before long, forsaking his portion of wealth, be it great or be it small; forsaking his circle of relatives, be they many or be they few, he cuts off his hair and beard, he clothes himself in the orange-colored robes, and he goes forth from the household life into the homeless state."

The paragraph following, shows that the devotee becomes happy only in this stereotyped way, that is by renouncing family life, in imitation of the example set by Buddha himself, and practising the rigid rules of the Order. In the same book we are told that between "the Brahmans in possession of wives and wealth" and the "Brahman who has none of these things," there cannot be any "agreement or likeness."

In the *Saddharma-Pundarika*, two young princes are introduced as addressing their mother in this strain.—"Allow us, oh mother, to go forth from home and to embrace the houseless life; ay, we will become ascetics, for, rare to be met with is a Tathagata." Instances of this description may be multiplied almost *ad-infinitum*.

Again, the members of the Order are not merely directed to look upon family life as dangerous, but to scrupulously abstain from sensuous pleasures, though of the most innocent kind. They are directed to look upon the senses as a "chain," a drag on spiritual life, of which the best thing they can do is to get rid unreservedly and entirely. In *Tevigga-Sutta* we have this principle indicated in the following bits of a long dialogue, reported between Buddha himself and Vasettha:—

"In the same way, Vasettha, there are five things leading to lusts, which are called in the Discipline of the Noble One a 'chain' and a 'bond.'"

"What are the five?"

"Forms perceptible to the eye; desirable, agreeable, pleasant, attractive forms, that are accompanied by lust and cause delights. Sounds of the same kind perceptible to the ear. Odours of the same kind perceptible to the nose. Tastes of the same kind perceptible to the tongue. Substances of the same kind perceptible to the body by touch. These five things predisposing to passion are called in the Discipline of the Noble One, a 'chain' and a 'bond.'"

But not only are the senses to be shaken off as encumbrances, but the entire body itself is to be considered a prison-house, and deprecated. In the *Ketokhila-Sutta* (as translated by Rhys Davids in vol. xi of "Sacred Books of the East") we have this statement:—"And further, O Bhikkus, when a brother has not got rid of the passion for a body, has not got rid of the desire after a body, has not got rid of the attention to a body, has not got rid of the thirst for a body, has not got rid of the fever of a body, has not got rid of the craving after a body."

"Whatsoever brother, O Bhikkhus, has not got rid of the passion for a body, has not got rid of the desire after a body, has not got rid of the attraction to a body, has not got rid of the fever of a body, his mind does not incline to zeal, exertion, perseverance, and struggle."

And they are required to obey rigidly the following ten commandments, the Buddhist's Decalogue :—

1. Not to take life.
2. Not to take that which has not been given.
3. Not to commit fornication.
4. Not to speak falsely.
5. Not to take intoxicating drinks.
6. Not to eat after midday.
7. Not to attend theatrical amusements, nor to adorn the body with flowers and perfumes.
8. Not to sleep on any soft material, beyond a mat spread on the ground.
9. Not to use high seats and couches.
10. Not to wear gold or silver.

What an odd mixture of the sublime and the ridiculous ! A few eternal and immutable principles of rectitude placed in juxtaposition with rules factitious and even childish !

But let us confine our attention to the first five, which are represented as *par excellence* the precepts of Buddhism. Each of them is guarded by a network of casuistical interpretations and rules, and two of them, at least, are carried to a preposterous length ; while the last ought to come under the heading of sumptuary laws, rather than of moral principles. The command 'not to kill' includes not only human beings, but all kinds of animals, and even varied forms of vegetable life ; as the virtuous man is described as one, who not only keeps aloof from what the modern world calls deliberate murder, but drinks filtered water to avoid the possibility of killing little insects, and never dreams of destroying even a herb !

The third precept militates, not only against what is now understood by adultery and fornication, but, as regards the Order, the members of which have to take, like Jesuit Missionaries, the vows of chastity, poverty and obedience, sexual intercourse of every description, legitimate or illegitimate. The male members of the Order were not merely to be misogamist, but in a sense misogynist : they were to scrupulously shun all intercourse with females, and regard them as venomous reptiles, sure, when encouraged, to bite them to spiritual death. Buddha's directions with reference to such intercourse are thus given in the *Maha-Parinibbana-Sutta* :—

" 'How are we to conduct ourselves, Lord, with regard to womankind.'

'Don't see them, Ananda.'

'But if we should see them, what are we to do ?'

'Abstain from speech, Ananda.'

'But if they should speak to us, Lord, what are we to do ?'

'Keep wide awake, Ananda.' "

Buddha, though disposed to raise women a little, and though persuaded by friendly counsel and reasoning (but, as he contended, against his better judgment) to favor their admission to the Order, could not emancipate himself from current views about them, and looked upon the slightest approximation to a pleasant intercourse between the sexes as fraught with danger. The progressive women of the day, who are willing to repeat the creed, "There is *no*-God and Harriet Martineau is his prophet," and who stand up for the complete obliteration of all distinction between the sexes, ought to look into the position woman occupies in Buddhistic records before praising Buddhism. Here is a statement of the reason why Rucha "was only a woman."—(Hardy's Manual.)

"Fourteen births, previously, she was a nobleman, but an adulterer. In the next birth she was again a noble, through the power of previous merit, and gave much alms. But when she died, she had to leave the merit thus acquired, like a mine of wealth hidden in the ground, and for her previous demerit she was born in the Romra hill, where she remained 2880 Kotis of years. She was next born a vigorous ram in the country called Bhenunka; so powerful, that the shepherds taking it by the four-feet, threw it on the ground, and deprived it of its virility; which was the punishment of her former deeds. Again, she was a monkey and a draught bullock, in both of which births she had to suffer the same punishment, and was then born among savages, and was neither a male nor female. After this she was the devi of Sakra; then the wife of a libertine; and last of all, the daughter of the king." This good lady was anxious to cancel her past guilt by good deeds, so as to be born a man, and thereby come within the precincts of the complete rest of Nirvana!

But the greatest of the five crimes prohibited by the five precepts is drinking. One of the records translated by Hardy thus speaks of this crime:—Of the five crimes, the taking of life, theft, adultery, lying, drinking, the last is the worst. Though a man be ever so wise, when he drinks he becomes foolish, and like an idiot; and it is the cause of all other sins. For this reason it is the greater crime." The crime, however, appears in different degrees of intensity or heinousness. The same record says;—"When only so much toddy is drunk as can be held in the palm of the hand, it is a minor offence; it is a greater when as much is drunk as can be held in both hands; and a greater still, when so much is drunk that all things appear to be turning round."

Surely the country is indebted to Buddhism for one great revolution. Dr. Banerjea speaks, in one of his well-known works, of the Aryan schism, the schism which led to the

ultimate disseverance of the two kindred races or peoples, the Aryans and the Iranians. The cause of this big squabble was drink. The Iranians, who abhorred drink, separated themselves from the Aryans who loved drink. But the intervening ages have completely turned the tables, so that to-day the Hindus are a wine-hating, and the Parsees a wine-loving people—barring of course, the results of the encouragement given to the red-eyed goddess by modern civilization with its never-ending stream of brandy and soda-water. This salutary revolution was accomplished by the impetuous and undiscerning earnestness with which Buddha and his followers placed drinking among the prohibitions or, as a great divine calls it, the “shalt-nots” of the moral law. Muhammad was guilty of similar weakness when he included “fleeing from the battlefield” in the category of his “great sins” (*gunah-kabira*), in the category of deadly sins like murder, adultery and theft.

We believe that the champions of Teetotalism in these days, whose number happily is daily increasing, are destined to accomplish, in civilized but wine-cursed lands, a revolution as grand, and as decidedly fraught with beneficent results as that initiated in our country by Buddhism. But if these leaders of a good cause were led by blind zeal to add a clause to the Decalogue to the effect—Thou shalt not drink wine or spirits, we should be disposed to repeat the well-known verse: “If any man shall add unto these things, God shall add unto him the plagues that are written in this book.”

But are not the minor defects of the Buddhistic code of morals to be forgiven and forgotten in view of the facts that it inculcates and enforces universal benevolence? Buddhism is certainly overladen with fiction, superstition and error; but does not its animating spirit of boundless love make amends for whatever of absurdity may have been associated with, or heaped upon, it? Rhys Davids in his “Buddhism” concludes his brief but graphic sketch of the defects as well as excellencies of the system with these words:—“Thus it was, that while most of the superstition and folly which had encrusted the ancient faith was repudiated and ignored, its beauty, and poetry, and truth were first ennobled and spiritualized, and then made subservient to that life of self-control, wisdom and universal charity, which Gautama declared to be the highest aim and the highest happiness of man.” This great authority emphasizes the fact, that Buddhism grasps and upholds the correct principle of overcoming evil by good both in our own selves, and in our intercourse with our fellow-men or fellow-creatures in general. The faults of thought and disposition, whatever they may be, whether of an aggravated or of a

venial type, can be corrected only by a careful and scrupulous cultivation of the opposite virtues. For instance, pride can be gradually mortified, and ultimately extinguished by thoughts of, longings for, and earnest seekings after, humility; hatred can be removed from the human heart only when it is chased out of it by love.

Buddha certainly commanded his followers to emancipate themselves from the prevailing faults of their character by a sedulous cultivation of the opposite virtues; they are exhorted to mature in their hearts the virtues of compassion, sympathy and love, by meditating on the sorrows of humanity. The true follower of Buddhist principles is described in these verses in *Tevigga-Sutta* :—

“And he lets his mind pervade one quarter of the world with thoughts of Love, and so the second, and so the third, and so the fourth. And thus the whole world, above, below, around, and everywhere, does he continue to pervade with a heart of Love far-reaching, grown great, and beyond measure.

“Just Vasettha, as a mighty trumpeter, makes himself heard—and that without difficulty—in all the four directions; even so of all things that have shape or life, there is not one that he passes by or leaves aside, but regards them all with mind set-free and deep-felt love.”

On this feature of Buddhist morality we have two or three remarks to make: Our first remark is, that universal love cannot be generated in the way indicated. We cannot possibly meditate or school ourselves into universal love, or produce it in our hearts by self-control or self-exertion. Buddha laid the axe to the very root of virtue, when he cut it off from its source of vitality, *viz.*, divine grace, and made its growth contingent on human exertions. He rang the death-knell of morality, when, after alluding to his approaching death in pathetic language, he exhorted his disciples in these words :— (*Maha-Parinibbana Sutta*.)

“Therefore, O Ananda, be ye lamps unto yourselves. Be ye a refuge unto yourselves. Betake yourselves to no external refuge. Hold fast to the truth as a lamp. Hold fast as a refuge to the truth. Look not for refuge to any one besides yourselves.”

“My age is now full ripe, my life draws to its close
I leave you, I depart, relying on myself alone !
Be earnest then, Oh Brethren, holy, full of thought !
Be steadfast in resolve ! keep watch o’er your own heart !
Who wearies not, but holds fast to this truth and law,
Shall cross this sea of life, shall make an end of grief.”

Virtue, in the proper sense of the term, virtue of which the vital principle is love, is the resultant of two coincident and

co-operative forces, divine grace unfolding, nourishing, invigorating and fructifying human exertion. But Buddha cast overboard the main factor, and literally killed morality ; though, as a branch retains its verdure for a time even after its separation from the parent stock, it gave signs of life in his day, and for a short period after his death. Buddha appears in the existing records as a type of sympathy, compassion and love,—but the representation should be traced to posthumous veneration and mythœpic spirit. If it could be proved that Buddha actually claimed to have succeeded in schooling himself into universal love by self-restraint and meditation, we should be compelled, by philosophic or argumentative fairness, to impugn his veracity, as we are when we have to face his claim to universal knowledge, or insight into his supposed past stages of existence !

Our second remark is, that self-dependence or self-sufficiency, which may be represented as the pre-condition, if not essence of virtue according to Buddhistic belief, cannot co-exist with universal love. Self-control or self-mastery when attained by self-exertion cannot but beget pride, while the humility, without which universal love cannot exist, presupposes self-abasement, not self-glorification, self-loathing, not self-sufficiency.

And lastly the aim of Buddha's moral teaching is *not* universal love, but perfect equanimity, a mind inclined neither towards virtue nor towards vice, neither towards love nor towards hatred. If universal love is inculcated and enjoined, it is also represented as an inferior thing, to be cast aside before the goal of insensible repose is reached. Read the following verses of the *Dhammapada* as translated by Max Müller :—

“ Let no one ever look for what is pleasant or unpleasant. Not to see what is pleasant is pain ; and it is pain to see what is unpleasant.”

“ Let therefore no man love anything. Loss of the beloved is evil. Those who love nothing and hate nothing, have no fetters.”

“ From love comes grief ; from love comes fear. He who is free from love knows neither grief nor fear.”

The aim of Buddha's self-renunciation, in the grosser sense of the term, that is renunciation of the splendours and pleasures of life, self-control and self-mastery, was *self-deliverance from pain*, an object too selfish to foster in his heart any disposition like genuine philanthropy or disinterested benevolence. Whatever enthusiasm of humanity he showed is to be traced, like the vaunted humanitarianism of modern Comptists, to intensity of intellectual conviction, rather than of moral feeling !

Edwin Arnold sees in Buddhism “ the eternity of universal

hope," "the immortality of a boundless love," "an indistructible element of faith in final good," and "the proudest assertion ever made of human freedom." We have shown that in Buddhism we find perfect quiescence, stolid equanimity, passionless lethargy, and complete extinction of intellectual energy and moral earnestness, instead of "boundless love." In the next paper we hope to show that "the hope" fostered by Buddhism is gloomy, paralyzing, deadening despair, and that the "final good" anticipated by well-read Buddhists is *annihilation*, or at least extinction of thought, feeling and consciousness. The panegyrist is right in representing Buddhism as "the proudest assertion ever made of human freedom." According to this system, man is his own Saviour, and all his help comes from within, not a particle from without. The late Pandit Dya Nand Saraswati used to say, that if man could sin of his own accord, he could also save himself from sin by the strength of his unaided will; and the modern disciples of Buddha are unanimous in upholding this principle of self-evolution. But experience gives the lie to this principle, and consequently Buddhistic morality, if judged by the precise standard of experimental science would be found wanting!

RAM CHANDRA BOSE.

ART. IV.—THE SIEGE OF CAWNPORE AND LORD CANNING'S ADMINISTRATION.

THERE is an unpretending pamphlet, which has very recently been published, entitled "The Tourist's Guide to Cawnpore and Lucknow*" which brings back to the writer some memories of the time when the dark shadow of the Mutiny was over India. There are few who were in Cawnpore then, and who are now living to tell of the disasters which befel the residents in the neighbouring stations—and of the horrors of Cawnpore. Visiting Cawnpore after many years, in a professional capacity, the other day, many of the old scenes re-called themselves : the Memorial Well, "sacred to the perpetual memory of the great company of Christian people, chiefly women and children, who were cruelly massacred by the followers of the rebel Nana Dhoondoo Punth of Bithnoor;" the Memorial garden, to which no natives are now allowed without the special sanction of the authorities, and the Memorial church, which stands on the site of the entrenchments, chronicled with the blood of that heroic garrison, whose memory it was raised to perpetuate.

Since the writer, some years ago, visited Cawnpore, it has not changed much : there are the same roads, with the dust of ages, the same ravines, painfully reminding the visitor of the appearance it presented years ago, the same wild and desolate appearance. The river winds on with the same tranquility as it did years ago, but its channels are narrower now than they were before the canals were constructed ; the Railway bridge, spanning the river, is, however, a construction of recent times, and speaks well for the design and the engineering skill of those who constructed it. No place in India reminds the traveller or the tourist more forcibly of the Mutiny than Cawnpore.

When the Mutiny broke out, our English army was at its weakest. The country, which had so long shown signs of peace, was all of a sudden convulsed to its heart's centre. Although protected in the Hooghly by the shipping, which represented the commercial might of great Britain at the Indian capital, Calcutta shared in the panic which had spread so suddenly over all parts of India. There was, indeed, no great occasion

* The Tourist's Guide to Cawnpore and Lucknow : Published by Messrs. Shircore & Co., 1886, which the writer accidentally saw at the Military and Civil Service Hotel.

for any alarm at Calcutta ; but the European residents, being so few in number, as compared with the vast native population of that city, might have been excused for sharing in the panic. Merchants' assistants, and office clerks went about with revolvers in their carriages. Native servants were taught by their masters to discharge rifles, to load quickly, and to fire low. English families sought refuge in Fort William and in the ships which were anchored in the river, and every Englishman who could use arms, provided himself with a rifle or a double-barrelled fowling piece. There was a general sense of insecurity prevailing throughout the capital, and every native regiment was looked upon with suspicion, and dreaded as traitors and rebels. Emergency Meetings were called. The Trades Associations, and the Chamber of Commerce, the Freemasons, and Political Associations, were not slow in addressing the Governor-General, and tendering their services in support of law and order. Those offers were accepted, and a volunteer service was soon organized for the defence of the city. Despatches were forwarded also to Lord Elgin at Singapore, and the immediate aid of the four English regiments destined for service in China, was requested. The chastisement of the rebels at Canton might well have been postponed for a few months. The safety of the Indian Empire could not be risked for a day. The aid applied for, was granted. The alarm in Calcutta subsided, and men 'once again betook themselves to their ordinary occupations.

At Simla, wild rumours gained credence, that the Goorkhas from Nepal meditated an immediate invasion of those favourite snow clad retreats. Delhi, in anticipation, saw its old and worn king, Bahadur Shah, once more enthroned in the seat of the Mogul.

The foremost of the mutinous regiments, that had first spread the seeds of rebellion at Barrackpore and Berhampore, and which had set fire to the Cantonments of Agra and Allahabad, were in possession of that city. The Civil and Military Cantonments of Agra were burnt to the ground. The Fort of Agra,—its turreted sides flanked with red sandstone, once the favorite residence of the Emperors of Delhi,—afforded shelter to the handful of brave men and women who rallied round Mr. Colvin, who was then Lieutenant-Governor, a gentleman, possessing a subtle and refining intellect, strong enough to be at the helm during times of peace, but who broke down under the strain of the new difficulties which had confronted him so unexpectedly. Allahabad almost fell : but its fort, like that of Agra, even though slenderly garrisoned, proved invulnerable to the rebels. Cawnpore added a dark page, with its story of deceit and blood, to Indian History. Gwalior forced its contingent to

mutiny. The residents of Indore and Bhurtpore, had to seek safety in flight. The English at Nagpore slept nightly in its hill fort. The native political capital of Jeypore and Hyderabad, however, shewed no signs of overt disaffection. The army of Bombay, which had no Pandies in its ranks, and the army of Madras, which is largely Christianized, stood firm. The Sikh soldiery, the largest element in the army of the Punjab, who were always hostile to the Bengal army, which they never thoroughly forgave for aiding the British forces in subjugating the country of the five rivers, were, from the first, entrusted with the task of recapturing Delhi. No one looking upon those few months, from March to September, so pregnant with a great and sombre future, could not have foreseen the terrible chain of events which succeeded each other rapidly. The residents at English stations, lived as usual, oblivious of coming events.

They hunted as usual; they dined, they danced, they filled up the time in the evening with the usual meaningless gossip at the band-stand, or at the carriage-drives; they speculated on the chances of promotion. They grumbled at the heat of the weather, or chatted of the prospects of spending the summer at Simla or Landour; or discussed eagerly the rapid chances of official promotion.

But few, indeed, were there who could foresee the Mutiny. As yet the stories told which had gained credence from being narrated in English papers, of houses being burnt at different stations, were ascribed to isolated acts of incendiarism.

No one yet dreamt that in that smooth mass of sable faces which met their gaze during morning and evening parade, there lurked concealed, under a stolid and meaningless exterior, a bitter and treacherous hatred to the English race. How it was that the agricultural masses, who formed nearly the entire population of India, after having enjoyed for nearly a century the blessings of good government, should have been found arrayed against order and law? how it was that a simple military revolt should have merged into a national revolt? how it was that the entire machinery of Government, recently so perfect and so entire, should in a few brief months have been so rapidly disorganized? how the Indian Empire should have been on the verge of dissolution,—must always prove an interesting problem to the essayist and the historian. Nor does the question admit of an easy solution. So confused were the events and so little plan or combination was displayed, that the efforts made everywhere, like the variegated threads in shot-silk, had to the observer an ever glancing and changing aspect. Great events spring from trifles. Every one remembers Voltaire's sarcastic taunt: "The revolution

which brought about the Treaty of Utrecht, which displaced Marlborough, which changed the destinies of Europe for a time, might be traced to Mrs Masham's anger, occasioned by the Duchess of Marlborough, accidentally overturning a cup of coffee on her brocade." That trenchant sarcasm, contains much serious truth. The springs of great rebellions are too often found, in the recesses of a few designing hearts.

Originating in the purlieus of the palace of Delhi, the Indian rebellion had been participated in by those Mohammedan classes, which the almost prophetic pen of Napier described, as the inveterate enemy to Anglo-Saxon progress ; by a very large class of native officials ; and by all that class of turbulent spirits who have nothing to lose and everything to gain by anarchy and confusion. The means were found in the weakness of the army system. Regiment after regiment had been deprived of officers, who had enlisted in staff appointments, in offices of magistracy, in Civil Service berths, in every opening which offered a higher emolument. To many a Regiment but few officers remained. Those that were with their regiments, complained bitterly that since the abolition of flogging in the native army, discipline had relaxed, and they had less power over their men than the native subaltern officers, who virtually controlled them. Dismissal weakened the regiment, imprisonment lowered the tone of the army, while it had no lasting effect. Such was the private opinion of so distinguished a soldier as Colonel Hodson, who did not survive the Mutiny, and of men who, like Colonel Hodson and General Nicholson, had thoroughly understood the character of the natives of India.

There is a tendency to ascribe to broad general principles the Indian rebellion, and writers have not been wanting to bring forward the old truisms with regard to the motives of this rebellion in India. Rebellions are caused by misgovernment ; the ruin or the prosperity of a state, depends upon the administration of its Government ; there is a limit to the endurance of the multitude, and when provocation is carried to excess, the fault is alone ascribable to the Government.

Such are a few of the sophisms which have been brought to bear on the subject ; and in Europe, fusionists and abolitionists alike, pointed to the aversion which the Asiatics manifested for the Anglo-Saxon rule. At a later period, a small class of writers pointed to the incubus of the land tax, as the motive for disaffection ; while others ascribed it to the novel introduction into Indian regiments of greased cartridges, and a few writers to the annexation of Oudh.

But it was not misgovernment that caused the rebellion in India, where among Indians independence of thought is so

seldom exercised : even granting that great and radical defects in our civil administration existed, we deny that they have had any part in causing the Mutiny.

The fact of the existence of an erroneous political system ; of the dead weight of the Civil Service ; of the annual deficit in the finances ; of revenues wasted, might have existed, and existed for ever, without producing any popular outburst of native feeling. Subjects like these are not generally canvassed by the natives. The masses in India do not think about them. Even those who have been educated are free from political aspirations or discussions. It would be absurd to ascribe as the motives of rebellion in India, the causes from which have sprung rebellion in free and civilized states.

Terms, which among western races have a significance, are without meaning when applied to the Aryan races, with whom we have had during two centuries to deal. The calm and philosophic mind of Burke might have traced, amidst the sudden effervescence, and powerful passion for liberty ; amidst the sweeping away of order, monarchy and religion ; amidst anarchy and terror, the unprecedented calamities and unparalleled crimes of the French Revolution,—the march of a principle, of an idea, of a logical process of conviction. *

The historian of Europe may have traced in the passions called forth in the wars of Clovis and Charlemagne, in the victories of Martel, in the Jacquirie rebellion ; in the religious contests between the followers of Jansen and Molyneaux and in the wars of Louis XIV, the embodiment of a lofty idea. In the Indian rebellion, we shall find alone abject passion developed. For the causes of that rebellion, we must turn to the evils of the army system ; to the fatal conciliatory policy pursued towards the natives, who composed the bulk of the Bengal native army ; to a stoical indifference to the condition of the masses ; to a too great respect for Indian nationalities, castes, and religions ; and to a too great confidence in the honesty of the native character. Something, perhaps, might be owing to the antagonism of race ; something to the indifference on the part of the Company, which did not supply a sufficient number of European regiments, when it permitted Lord Dalhousie to annex Oudh ; something to that wonderful opposition displayed by the ruling powers, to anything like officers in command of regiments, taking any interest in the religious leanings of their men, and something to the prejudice which still wrongly clings to the introduction of greased cartridges. It is a curious circumstance, that a

* The writer expressed some of these opinions several years ago ; they have not been changed with the lapse of time.

few months before the Mutiny, the conduct of a military officer in the Panjab was called in question by the Government, because he attended, at the invitation of one of his men, the Christening of a native child. It was forgotten at Calcutta, that the Madras army was partly composed of Christians, and it was the Madras army that proved most staunch. While those tragic scenes were being enacted with such wild recklessness in the North-West; while fitful rumours were flying about of the horrors of Cawnpore, the massacres at Jhansie, Hansi, and Hissar; while the *personal* and staff of the Government of the North-West, and the residents were forced to seek protection in the Agra Fort; rebellion might be said only to have grazed Central India, which was garrisoned with Madras troops. It had no hold in the Presidency of Madras. It scarcely ruffled the political equanimity of Bombay.

The progress of revolt is one of uncertainty. It is, to use an expression which Macaulay has lent us, like treading on the fine crust of ashes, beneath which the lava fiercely burns. No Anglo-Saxon in a station where a Bengal corps was located, could feel himself safe. A single spark might inflame that huge mass of combustible matter, which could unsettle provinces. It is no wonder, then, that the pulse of public feeling, in every station in Upper and Central India, should have vibrated with an irregularity which almost defied description.

Wherever a Bengal regiment was located; wherever a spirit of mutiny manifested itself, within a hundred miles; there suspicion was the evil genius which seemed to mark the station for its own. Alarmists gave the cry, and the people ran with eagerness to defend the first brick house into which provisions could be thrown.

It was believed at the time that the old King of Delhi was the principal instigator of the rebellion. Whether he did so, it was certain that he was to be the last representative of the Great Mogul, the last descendant of Babar, Akbar, and Aurunzebe that would hold rule in the marble halls of the palace of Delhi.* With him the last shadow of the shadowy and phantom line of kings, who traced their descent from Babar, was soon destined to pass away. With the wreck of the Mutiny, a dynasty, which in India had once reigned supreme, which had subverted Eastern Hindu dominions and

* The writer, a few days ago, visiting the Fort at Delhi, with some friends, regretted that the beautiful inlaid marble in some portions of the Fort was stuccoed over with chunam. Such mementos of the past should last and not be effaced.

religions at will—which had granted a Firman to the East India Company to build an obscure factory in an obscure and unhealthy part of India, on sufferance ; which used to represent itself as the “King of all the world,” and which refused a chair to Governor-Generals or Commanders-in-Chief when on formal visits of State to the palace ; was soon to be a thing of the past.

But a few years before the Mutiny, a late Commander-in-Chief had called on this King, and, viewed in the light of passing events, it sounded like a strange satire that the King should have bestowed on him the title of “Sword of the State,” should have made him a Commander of seven-thousand horses, and should have presented him, in token of his being recognized as a servant of the Mogul, with a green stick, as a signia of authority. The court which, in splendour of external show and magnificence, in pomp and in splendour, vied with that of the Kaliphs of Bagdad, of the Ottoman Sultans, and of the Shahs of Persia, which had excited the wonder and admiration of so observant and shrewd a traveller as Tavernier, and which was fast sinking from the reality of royalty into a mockery, was in the space of a few months once again to attract the attention of the Eastern, and even parts of the Western world, before it was stamped out by that very power which it once sneered at, and refused to recognize in outward form except as vassals.

Among those that were disaffected, in addition to the Delhi King and the Nabobs and Talookdars of Oudh, one man pre-eminently took an active part in that drama of blood which has stained the page of Indian History. The story of his acts has been told by novelists, romancists and contemporaneous narrators, and his name has passed into a bye word for everything that is bad, deceitful and treacherous. By the play-writer, his life and character, as displayed during the Mutiny, might be made the theme of very strong Dantesque writing. Indeed, the drama has scarcely ever spared, in its sarcasms, men of the stamp of the Nana of Bithoor. And yet, if we take up the drama of the past and the present, we can scarcely find a prototype for this man. If the tragedies of Sophocles and Æschylus, of Shakespeare and Calderon, of Massinger and Alfieri, of Dante and Corneille, were searched for examples, a character so black, so facile in deception, so treacherous where word and honor were concerned, could scarcely be found. To find a parallel, we should have to go to plays less chaste than theirs, and to times less fastidious than those for which these great dramatists wrote. We should have to revert to the Greek writers of the time of King Ædipus ; we should have to seek comparisons in those Greek and Latin

plays, which happily for the social morality of the present age, are now nearly extinct ; plays which were seasoned with glimpses of pale phosphoric moonlight ; scenes in which cold-blooded murder formed the crowning piece of the acts ; plays in which illicit love was portrayed with more than the piquancy lent to it by Dante, without the moral pointed at by him ; plays which had more of the story of unlawful lust and undying hate in them, than had ever stained the rhymed pages of Alfieri ; plays which illustrated the story of the passions in a manner, which was as fire to ice, beside the gentle vice and silken transgressions of Lady Audley, and of the romances painted by Ouida, and their class of brilliant, clever, sensational, modern lady writers. While humanity is what it is, the great battle-fields of the passions will engage the study, and employ the pens of novelists, romancists, and dramatists. But the real living men, who sometimes darken the footlights, and cast their shadows on the boards of the drama of real life, are, in their true proportions of hideousness, blacker than the sensational creations of sensational writers. The historian ought, after all, to be the greatest dramatist. The fault of the English historian too often is, that he is not dramatic enough. The story of *Clarissa Harlowe* is not less thrilling in its interest, because the tale which so minutely portrayed the fall of virtue, and the triumph of villainy, was based on facts. But *Clarissa Harlowe*, as portrayed by the father of the present school of modern novelists, is very different from what she would have been, if described by the pen of a historian, even so chaste as Hume, or so graphic as Robertson. The trial of her life and her death, written by the historian, would be narrowed into a few pages of writing, which would scarcely excite but a faint or a passing interest. French writers, in their histories, are more interesting, because they portray in greater detail, the inner life ; because they add something of the animation of the novelist to the calmness and evenness of the historian. The French historian is more of an artist than the English historian. There is more warmth of colour on his canvas. Swaying slowly, but surely, to the great impress of the French revolution, continental Europe has broken away from the prim formalities and square proprieties of the first and second Georges, and of the latter days of the French Grand Monarque. Continental architecture, likewise, is fast turning into the Gothic. Continental art in painting and sculpture, and ornament, is more and more approaching the realistic. Continental literature is developing into the romantic ; while the unities of Boileau, and the meaningless fat cupids of the Louis Quatorze staircases, are trundled, with other traditions of the past, into the limbo of oblivion ; thus, too, has

been the change in its historical writers. Life, intense, real, concentrated, passionate, is sought to be pourtrayed ; life that exists as it exists,—that will bleed if you cut it ; life such as living men and women lead ; such is the theme of our European writers, and such is the demand of our European readers. Such, assuredly, has not yet been given by Indian writers, on Indian history, to Indian readers.

There are few who have not stopped at Cawnpore on their way to Delhi or Lahore. During the period described in these pages, Cawnpore was not largely garrisoned, and the regiments that were there were slenderly officered. Dhundoo Punth, the disappointed claimant for the pension of the deceased Peishwa of Poona, into whose family he was introduced, and by whom he was adopted, is better known in India as that execrable monster of the Mutiny, the Nana of Bithoor, whose real character had not betrayed itself in the earlier stages of his career.

Time, however, was destined soon to shew the Nana in his true colors. He had for a long period been brooding over his wrongs. He was, it was true, an adopted son of the Peishwa, but as such, although he could claim, by right of adoption, the property, movable and immovable of Bajee Rao, the Peishwa of Poona, there was but little doubt that, in a legal point of view, he had no claim to the pension which was paid by the East Indian Company to his patron. The pension was personal to the Peishwa. It was, like any other annuity, to be enjoyed by the Peishwa for his lifetime. Like other annuities it was not hereditary. It ceased with his life, nor could his executors or assigns, his trustees or his representatives, claim it after his death. Bajee Rao was, in fact, the last representative of those free-booting chiefs of the Highlands of Central India,—the monarchs of free lances, the dread of the agriculturists of the plains, and of the merchants and money-lenders of the city. His faithlessness to the Indian Government was long suspected, and was subsequently accepted without a doubt.

He was dethroned by the British. His territories were confiscated. He was assigned a residence at Bithoor, a native town, twelve miles from the British station of Cawnpore. His house and gardens overlooked the river Jumna. The place was pleasantly situated. On the banks of the river might be seen Hindu shrines reflected in its waters. In November of each year, pilgrims went there, composed of that class which annually resorted to Hurdwar, the source of the Ganges, held sacred by the Hindus, and to Benares, that seat of Brahminical learning and Brahminical superstition. This ex-chieftain, the Raja of Satara, had no male heirs ; and in accordance with Oriental habit, usage, and custom, he had adopted Sereek Doonda Punth, the Nana, as his son. Unable to obtain from the

Government of India his fancied right to the pension, which had reverted to the State on the death of the Peishwa, Doonda Punth sent to England Azimoolah Khan, a confidential agent, who had learnt, as butler in an English family, to speak English.

Like all foreigners, his agent was well received in the social circles of Mayfair and Tyburnia; by people who regard every foreigner from India, China, or Japan, as a curiosity to be drawn out and noticed in West-end drawing rooms; by people who regard every Pole as a patriot, every Sicilian dressed in the Garibaldian costume, as a Garibaldi; every Maronite as a martyr; every Japanese walking in the Strand, as an Eastern ambassador; every native from India, who sports a diamond, or shrouds his under-coat in a Cashmere shawl, as an Eastern satrap, a prince or a nabob. But if he was entertained in the West-end drawing rooms, he failed to make any favourable impression on the Directors in Leadenhall Street, or to advance the claims of the Nana.

He returned to India by way of Constantinople, after spending the money of his client fruitlessly. There he learnt that the Crimean war had absorbed, whilst it had weakened England's military resources, and on his return to Bithoor, he was not tardy in exaggerating, with the exaggeration of an oriental, the story told him by discontented or fanatic and ignorant Moulvies at Constantinople, of the results of the war in the Crimea. The story of Russian intrigue in the East had not assumed the vast proportions it has now done. But even then, the hopes of a Russian advance towards India, was credited and devoured eagerly by men who, like Azimoolah and the Nana of Bithoor, had much to gain by general anarchy and confusion, by the hopes of plunder, or the chances of illicit gain.

Although, outwardly, the Nana still continued to profess a friendship for the English residents at Cawnpore, although his elephants and carriages were still at the disposal of the judge, or of the collector, in his own heart he cherished a deep and bitter revenge for the loss of his pension. While he feasted at his table those who accepted his invitations, he had sworn to expiate his revenge in blood. The injustice done to him should be blotted out in the blood of infants, who had been born years after his claims had been forgotten by the government; and of women who had never heard that he had any claims against the government. A writer thus describes the part he took in the mutinies:—

"The great crime of Cawnpore blackens the page of history with a far deeper stain, than the 'Sicilian Vespers' or September Massacres; for this atrocious act was prompted not by diseased or mistaken patriotism. Among the subordinate villains, there might be some who were possessed by bigotry and class hatred

but the chiefs of the gang were actuated by no higher impulses than ruffled pride, and disappointed greed."

Nor was there really great injustice done to this man. It is true, that Lord Dalhousie, then Viceroy of India, had ruled that the pension due to Bajee Row should not be continued to his adopted son, for the pension of eight lakhs was not settled in perpetuity, yet, although not allowed the pension, a certain tract of country was conceded to him for life, and he had succeeded to the private property, the estates, the personal property, and the jewels of the deceased chieftain. He was allowed the usual salute. He was given guns and cannons to fortify his residence at Bithoor. No personal services were required from him. Yet he was not satisfied. In the language of Mr. Keene, in his guide book, it may be said that he might have adopted as his motto the following lines, taken from the mouth of Virgil's baffled goddess:—

"Flecteré si nuqueo Superos, Acheronta movebo."

He breathed vengeance in his heart, and to carry out that vengeance, he was ready to raise the demons of hell from their abode to aid him.

The regiments then stationed at Cawnpore, consisted of a battery of artillery, a small detachment of H. M's 84th foot, a detachment of H. M's 32nd foot, and some few convalescents and invalids. The Native regiments consisted of the 1st, 52nd and 53rd infantries, and the 2nd Bengal Cavalry. The Brigadier-General in command, was Sir Hugh Massy Wheeler. The station club, now at Cawnpore, bears his name. Until the 6th of June, no real apprehensions were entertained of a mutiny at Cawnpore. However, among the unofficial community, small as that community was then, meetings were held, and the gravity of the occasion was appreciated. They waited upon Sir Hugh Wheeler to concert measures for some means of defence, in event of a military disturbance, and it was not until the 2nd Bengal Cavalry and the 2nd Native Infantry had become openly mutinous, that entrenchments were raised of mud, not four feet high, round the long barracks then occupied by some men and invalids of the 32nd regiment. When the Native regiments stationed at Cawnpore mutinied, they were invited by the Nana, who without much hesitation, put himself at their head. He thus hoped by taking the magazine and the treasury, which was then located at the village of Nawabgunge, three miles from Cawnpore, where the model farm is now, to hold the keys of Delhi and the Punjab, for Cawnpore was on the high road between Allahabad and Delhi. He might then bargain with the old King within its walls for the Captain Generalship of the rebel army, or he might, with a rebel army of his own, assume

the sovereignty of all the country and its agricultural wealth lying between Delhi and Lahore. With the rebel army at his command he might unfurl the flag of the Mahratta freebooters, and with Cawnpore burnt and destroyed, he might make the English survivors realize the horrors of another Black-hole.

When it was known that the Nana had offered to lead the mutineers to Delhi, the resolution which the mutinous regiments—the first, the fifty-third, and fifty-sixth Native Infantry Regiments, and the second cavalry—had adopted of marching straight to Delhi, was altered, and instead of doing so, they returned to Cawnpore. They set fire to the houses of the European residents, they broke open the jail, they plundered the government treasury, which, through one of those strange oversights, was left unguarded. A hundred thousand pounds sterling, the entire contents of the coin vaults were forcibly taken and distributed, as spoils of the four regiments. The public offices were burnt down. The records of years, preserved in those offices, were destroyed. The cables which connected the bridge of boats were cut away, and for a few days, every barbarity which could be designed by a mob, infuriated with drink and with passion, was perpetrated.

The mistake which was made—which ended so fatally for the Cawnpore garrison—was at the time attributed to want of military judgment on the part of Sir Hugh Wheeler. Major-Sir General Hugh Wheeler, who a few years before was nominated a Knight Commander of the Order of the Bath, and who had seen active service under General Viscount Lake at the first capture of Delhi, and also subsequently during the 1st Afghan war, was Brigadier General of the field forces at Cawnpore. He had but shortly returned from England, and on him rested the responsibility of defending the station and garrison of Cawnpore.

By his friends, he was considered to be a brave and able soldier—warm hearted to those who knew him; but by his critics at the time the responsibility of the tragic, and totally disastrous fate of the Lucknow defenders, was attributed to his weakness in accepting terms from the enemy.

The European troops under his command entrenched themselves in a hastily fortified position on the open plain already alluded to. The magazine and arsenal, with their store of arms, should have been defended. There stood also the treasury and other public buildings, which would have been better suited for defence. On one side, they had the river for a base, and their strong walls would, at least for some time, have held out against the attacks of the rabble and the mutineers. Sir Hugh Wheeler and his garrison had not long to wait for the attack of the

enemy. The mutineers soon advanced on his entrenchment, which consisted of a mud wall four feet high, shaped like a parallelogram. It contained only a thatched barrack, set apart for the ladies, and the sick and wounded. Behind these frail bulwarks, a mixed company of nearly one thousand English people, including women and children, were crowded.

Arms and ammunition were distributed to all who could use them. Opposed to this handful of men, were the Nana's myrmidons, the regiments which had mutinied, and the rabble. The enemy advanced, spreading themselves across country, firing and plundering, and murdering every European they met in the native town, or in the civil lines. Four office clerks were slain, after a valiant resistance. They bravely met their death at the points of the bayonets, after their house, which they had defended for hours, was set on fire. Wherever an European was seen, he was hunted down, and wherever a native Christian was met, he was cut to pieces. The troopers of the second cavalry everywhere scoured the city and the civil lines in search of those Christians who might not have already joined the garrison. A proclamation was issued to burn all English houses. Several houses of respectable native merchants were also burnt down.

One native commissariat contractor had his house set fire to, and the wealth he had amassed during a life time pillaged, on the pretext that he had given shelter to Lady Wheeler and her three daughters. Another wealthy merchant had his house plundered because he was said to have communicated news of the intended rising to Mr. Hugh Parker, the cantonment magistrate. "Hunt and slay the Feringhees and the Christians," were the watchwords of the mutineers." "Strike Hindus for Vishnu; strike Momammedans for Islam," were the maddened cries which were heard in every direction. The boom of distant cannon was heard from the Nana's camp. Athwart the lurid fires of burning houses were seen the flashes from occasional volleys of musketry, and the reports of Enfield rifles, fired by detached groups of men hurrying in different directions. Beyond the burning houses, were seen in the remote distance, incendiary fires, in relief against the dark sky of night which had already set in. Hay-stacks, and even groves of trees were given to the flames. Those who were so unfortunate as to fall into the hands of the mutineers, were immediately slaughtered. No conditions were stipulated for; no mercy to sex or age was shown. The lurid glare lit up the night, with a weird phosphoric brilliancy. The scum and the vilest rabble from the city, were all night plundering the houses. The doors of the tradesman, the cloth merchants, the money changers, and the bankers, were beaten

in by the butt ends of muskets, or the rifles taken from the arsenal. The English Protestant church was cannonaded. During the night, one detachment spread itself, firing the houses which were still standing unharmed. Another roved through the Mohammedan quarters of the city, took prisoner the Nunkey Nabob, the most influential Mohammedan in the city, plundered his silver chest and his wives' jewellery, and carried him and his wives to the Nana. As the morning advanced, the scene of destruction became extensive. The flames of the blazing houses rolled nearer and nearer to the entrenchments. At ten o'clock on the morning of the outbreak, shots were fired at the entrenchments from the vacant lines of the First Infantry, which were occupied in force by the enemy. But the numbers of the besieged and the besiegers, bore no proportion to each other. On one side, there were only a few men of the Artillery, and the Eighty-third Queen's, a few officers, whose regiments were arrayed against them, a few civilians, and a great number of defenceless women and children; on the other, there were several regiments, backed by a countless rabble. The arsenal had already been sacked by the rebels, and while they had an unlimited supply of arms, and of twenty-four pounder guns, the garrison had only a few nine-pounders, limited ammunition, and rations which were scarcely expected to last one month.

Day after day thinned the ranks of the garrison. The shot and shell of the enemy, as well as fever and sunstroke, cholera and dysentery, had done their work. The sick, and wounded, and the women, had protection under the thatched barrack. But soon the barrack caught fire from an accidental shell, and from that day, those who had found shelter under it, had, during the entire day, when the thermometer shewed 120 degrees,—to suffer exposure under the burning, pitiless sun of an Indian summer. When the rations had run out, it was scarcely possible to realize the true character of the sufferings which the remnants of the garrison had to undergo. To describe the events and the casualties that took place, would be to give details which would take up too much space. But one writer, who has written the history of the siege of Cawnpore, with considerable graphic powers, will lend a few details, which may not be out of place.

They will, at least, serve to shew, that in an entrenchment so hurriedly made, and which was by a singular sarcasm named by some of its defenders the Redan of Cawnpore, the boundary was slight between the living and the dead. Nearly every acre of that fatal enclosure, might well have been termed God's acre. The span of ground, scarred with the blazing June's sun, on which the survivors of that garrison may have stood, might, in

any second, have been appropriated to form his last resting place. In such a catalogue of names as is given by this brilliant writer, the synonyms of death became soon exhausted. The repetition of the names of those who were killed daily by the enemy's shot, or by the still more fatal stroke of the sun, becomes a grim tautology. Although the ammunition stored in the entrenchment for the heavy guns had long been exhausted, the firing of the enemy by day or night never ceased. The bullets cut the air. The shells whizzed ceaselessly. It was impossible to say whose turn would follow next, or for which woman or child the fatal bullet would convey its last billet. The walls of the only barrack which had sheltered the garrison, had long been levelled with the earth. The grape shots carried destruction everywhere. Those iron messengers spared neither old nor young. A single shell killed and maimed seven married women, who all day long had been seated in the ditch entrenchments, without any head-covering. Colonel Williams died of apoplexy. His wife was disfigured in the face by a frightful wound. Miss Williams was stunned by some fragments falling from the roof. Mrs. White was walking with her twin children and her husband near her side; the same ball slew the father, broke both elbows of the mother, and injured one of the orphans. Captain Reynolds lost an arm and soon after his life, by a cannon shot. A son of Sir Hugh Wheeler was reclining on a sofa, under the shade of a broken wall, one sister at his feet, and another, with the parents, bandaging his wounds, when a cannon ball striking him, left his body headless. Lt. Jervis was walking to his battery under a shower of lead—he was calm and collected, but although he had only a few yards to go, he was not destined to reach it. Such was the history of each day's occurrences. "The frequency of the casualties may be understood by the history of a single hour." Thus wrote, at the time, Captain Mowbray Thompson, one of the few who escaped, he and one sergeant only were sole survivors of that ill-fated garrison. That sergeant, it is stated, but not confidently, now keeps an Hotel, known as Lee's Hotel, near the railway terminus.

It is not possible for our countrymen, who have not been out of England, to realize the miseries suffered by the English children and women who were in the garrison at Cawnpore. In cool and shaded verandahs, in high and lofty drawing-rooms, kept cool with the aid of a thermantidote, the latest novel, or the last English magazine may serve to while away the summer hours in an Indian station. Ices, and iced, or cooling drinks, may almost make one forget the intense heat. Those ladies who were within the entrenchments now, had passed many summers pleasantly in India, and could not perhaps have realized in its full and bitter reality, what it was to be without the shelter

of a house, in June. But by those who have never left England, such heat and such misery as they endured are not easy to be comprehended.

At no time of the year is the atmosphere of London, even in the hottest summer month, so hot as it is in the autumn of India, even in the most favored stations of this country. While in many parts of India; in Madras or Bombay, in Mangalore or Vizagapatam, the temperature of the climate in the winter months exceeds the heats of a London summer.

India, in the hot months, even under the shelter of large houses, is simply intolerable. The quaint resource, suggested by some imaginative writer, of taking off one's flesh, in order to enjoy a few minutes of refreshing slumber by resting with bare bones, would be applicable, as an illustration, if it could be carried out in India. In summer, even in large houses, a *siesta* cannot be enjoyed in the day on account of the heat, and the rays of the noontide sun beat fiercely and disagreeably for those working in even large public offices.

The sun, indeed, has very little reverence for the brains of those who have every day to go to their offices, which are devoted to the magistracy, or to mercantile or trade speculations. The clothes which are worn in India by the men, although of the lightest tweed, are unsuited to the occasion. A black coat, exposed to the Indian sun, while its owner drives in a dog-cart, or other conveyance, from his house to his office, even for a few minutes, becomes like the shirt of *Nessus*. An ingenious official of the High Court of Bombay recently suggested that beef and mutton should be cooked or roasted by the sun's rays, acting through the medium of common glass. That experiment was fairly tried and succeeded. It shewed, in a peculiar way, the intensity of the sun's heat. Amusements during the day, in any part of India, are out of the question, for those who cannot emulate the salamander.

A play or a concert, even during the night, is often unattended on account of the heat. The announcement of a floral show during the day, or of any other exhibition, or of a monster promenade performance at three o'clock in the afternoon, would be sufficient to make the coolest pulse rise to fever-height. Innocent flirtation in the day is out of the question. Ladies in the lightest muslins, in the day, must endure sufferings which would preclude sentiment. The curled darlings of a London drawing-room would scarcely venture, if in India, to prolong conversation on the empty nothings of the day, and very few would feel inclined to prolong their stay beyond a few conventional minutes. Small talk, with the thermometer at 120° Fahrenheit, in the shade, requires all the serious energies of the mind. The appetite vanishes. All the vivacity of mind, all

the playfulness of fancy, desert one during those hours. In India, there is a very close connection between Fahrenheit and mind, and while heat is supposed to expand matter, it certainly renders the mind stolid. If it does not altogether solidify the brains, it certainly dwarfs the intellect, as much as it expands matter. The furniture in a room feels hot. The Brussels' carpets are unbearable. The polished brass on the writing-table repels the hand that touches it. Locomotion is more or less a torture. The dust blows into the best built houses, with a profusion rich enough to cover all the articles of *virtue*, all the pictures and the silk sofas, with a thick crust of red. In every room there is the crumpled rose leaf, to remind you of India ; the dust and the heat and the insects are everywhere. They and the servants, the tough beef and the lean mutton, and the daily scandal and small talk, form the greatest drawbacks to an equanimity of temper. In many parts of India, it may be said that the climate is that of a perpetual summer.

There is no relief to the eye in looking out on green fields, or on the green grass ; a few days after the last showers of rain the freshness disappears. The air vibrates with the reflection of the heat from the ground. A shimmer above the burnt fields reminds you that you have left the green fields of England far behind, and that you are viewing nature from the heated precincts of an oven. The sand roads, viewed under the noonday's sun, seem to glare. The river falls low, and the water appears to the eye to be lukewarm : it is certainly very warm if tasted. The heat from the parched ground becomes scorching. The birds, during the day, droop their wings and are silent. Even those who have experienced the heat of Ceylon, or of the Red Sea, forget it in the heat of such places as Cawnpore or Agra in the summer. The heated atmosphere, even in spacious saloons, or large drawing-rooms, is severely felt. And if the verandah, during the day, should be resorted to, there, too, an overpowering heat will be felt. It will be experienced in the summer sounds, in the cooing of the pigeons in their nest crevices in the eaves of the house, in the sudden bursting of furred blossoms, or soda-water bottles carelessly stacked, in the dry chirping of the grasshopper, in the cry of the cycadas, in the weary croak of the raven, in the drone of the bee, which rushes out from a flower pot against the first intruder on the verandah who may resort thither from the shaded or darkened recesses of the inner rooms. The servants are languid in their attendance. Politics are never discussed by the male members of the Indian community, conversation turns on business, or degenerates into scandal, or meaningless nothings. If books are tolerated, they are indulged in as an aid to a few minutes' sleep. Everywhere is there an oriental languor—a voluptuous indolence. Few

thoughts stir the mind ; the nervous excitation of passion, the consciousness of being able to think or to act, leaves you during the day ; and until the dusk of the evening returns, bringing with it some degree of coolness, the mind and body are wrapped in a kind of lotus obliviousness. If such was the heat within doors, what was it under the direct rays of the sun, at Cawnpore, to those who were unsheltered by roof or ceiling ? For the Cawnpore ladies and children, after the thatched barrack was burnt down, had to rest on the bare ground, within the entrenched walls, while overhead whizzed a ceaseless shower of shot and of shell from the enemy, who were sheltered in the buildings which overlooked the entrenchment. It was fortunate for those who died first. They at least had not to sustain prolonged miseries, had not to suffer endless agony. Yet as one by one was shot, or fell a victim to the sun and sickness, there was still in the breast of those that were left, some wild hope of surviving those who had gone to the next world before them. For hopes of life, even under the greatest danger and misery, are tenacious. And it is the same life, existing in every created thing, which makes itself felt in the joyousness of the nightingale, which is realized by the bird before the winged arrow stops its song, and it lies silent in death, which tosses the ocean and tints the sea-shell, which plays with the light on the grand old mountains, and which, wherever it links itself with nature, shews itself in beauty or vitality,—the same mysterious life which pervades our bodies, which throbs in the heart, and the pulse which speeds through the brain, connecting, as with a subtile link, the immaterial and the material, ennobling man under higher circumstances ; by still clinging to laws beyond his control, through misery and through the deepest sorrow, to that body which is already fast crumbling into dust. Although, there was one solitary instance where a Missionary, when his aged mother received her death-wound from a rifle-ball, died of madness, there was not a single instance where any of that garrison sought, even with this terrible reality of death before them, to hasten the hour when the last glimpse of light might, in obedience to a higher trumpet call than what they heard hourly, fade from the eye, and the last farewell look might be given to all things of this world. The men fought and fell like heroes. The women braved death with fortitude, knowing that it would come ; many Victoria Crosses should by rights have graced the breasts of those few heroes, but the only cross, which was destined for them, was that Christian Cross, which surmounts the spot where they were buried, and which is better than any which any earthly sovereign could bestow. The only brilliants which were to sparkle on their breasts, were the sparkling dews of

night, glistening on the grassy mounds which marked their last resting place at Cawnpore.

From the comforts of an Indian home life, to the terrible realities of an existence under a burning sun, in an entrenchment where the thatched barrack alone afforded shelter, was a change which the Englishwomen and children of Cawnpore could scarcely realize.

Life in India, on the plains, is so peculiarly Indian, that anything which partakes of out-door roughing, is a hardship. Even a picnic, with all its associations, and its pleasures, is scarcely a picnic in India, if it should be given on the plains, and not on the hills. On the plains, there are scarcely any months in which, under the deepest shade of umbrageous trees, a picnic can be enjoyed if given during the day. Even the shelter of a tent during the day is scarcely bearable. With all the senses open to the picturesque appearances of Indian life, or of Indian scenery, none but the most enthusiastic lover of nature, would voluntarily prefer the shade of a tree to that of a tent, during the day. Even before railways in India were constructed, marching or camping during the day was a disagreeable necessity. All travelling was done by night, if possible, to avoid the heat of the day. During the day, the tent and the staging bungalow became an absolute necessity. This was during the days of the old Indians, when life in India was Indianized; in the days when there were still independent Kings of Oude, when people took nine months to reach India, round the Cape; when Macaulay was a young man, serving at the Council Board at Calcutta; when "Pickwick" was the new book of the season; when there were few amusements for the fair sex, and when they, accustomed to rough it, in the Indian sense of the word, were far better than they were in 1857. The English in India, when the mutiny took place, were more Anglicised than those who preceded them. They had many more home comforts round them, and they even had some amusements. Croquet and badminton had not yet been introduced as Indian out-door amusements, but archery was resorted to, even then, at Cawnpore and elsewhere.

There are few amusements in India more capable of developing the feminine mind, and smoothing its asperities, than out-door amusements, and none more so than archery.

The feminine mind, viewed under the more favored circumstances of home life, when employed in out-door amusements in England, is always a study. In India it is often a puzzle. It is too complex. It has as many angles as the koh-i-noor, as many secret chambers as the conjuror's inexhaustible bottle, filled with sparkling wines of different colors. If racing, cricketing, and boating, as out-door amusements, have been

well calculated to call into exercise the muscles and the mind of the men, how much more are the games of croquet and badminton, and the royal sport of archery, then very much in fashion, calculated to call into full feminine play, the minds of the young, volatile, and fairy creatures, in white muslin. The recreation found in riding, or in such games as badminton, and such sports as archery, has always formed the favorite resource of the feminine world in India. Women, indeed, generally, have from time immemorial, exhibited a greater capacity for enjoyment, than for the stern practicalities of real life.

Associations of women in India, for moral, religious, political, or social, or ethical objects, generally fail. The climate is too exhausting for any severe mental strain; even for such artistic recreation as may be found in drawing in water-colors, in etchings, in scroll-writing, in ornamentations and embroideries, in oil-painting, in sculpturing—which ought to afford amusement—there is but little taste, and still less inclination. It is but just possible that the temperature of the climate, which takes from the energy of the men in India, lends to the softer sex a greater volatility than it does elsewhere. They are, in India, a little of everything. It runs in their blood to play a little, to ride a little, to dance a little, to be slightly emotional, moderately religious, to be temperately fond of whist or bezique, to have something more than a vague longing for outdoor amusements, such as croquet and archery, which tend to develop that state of mind, which is best adapted for an innocent flirtation, or the smallest of small talk.

The savage sarcasm, which ascribes to Indian life the synonym of ennui, is no better illustrated than when we apply it to Indian amusements. In an Indian life, as well as in its amusements, dancing excepted, there is a marked want of earnestness. It is only when some softer passion is awakened, that in these amusements, the young lady, not yet thoroughly acclimatized, has some slight feeling akin to earnestness. It then becomes for the first time associated with fresh emotions. An atmosphere of the freshness of an English lawn, for the first time surrounds the embrowned Indian archery ground. Then arise the memories of pleasant evenings, of fresh new bonnets, put on for the occasion, of the very newest of artistic boots, which might suit with the sylvan dress and the sylvan scene, with strange speculative memories whether he will be there on the next archery day. The lawn is no longer an Indian embrowned enclosure, hedged in by trees. The game has some life invested in it, and the next meeting is looked forward to with some degree of interest, if not of pleasure. There were many fair young ladies within the Cawnpore entrenchments, who had sighed to think that, in the hurry of

their movements, they had not brought with them their bows, and for the few days before the mutineers returned to attack the entrenchments, they were buoyed up with some hopes of the affair turning out, after all, a fortnight's picnic, when some solace might be found in archery, or some amusements might be got up on the spur of the moment. But this was not to be. There was in store for that ill-fated band of men and women something which the most thoughtful could not have imagined, in their most serious moments. The children, too small to think, thought it was great fun. At first, and even in an innocent way, unconscious of danger, they screamed with delight when they heard for the first time the whizzing sound of the great balls, or extemporised games with the black balls as they lay enveloped and encrusted in the mud where they fell. But they, too, soon wearied, and when their supplies of jam and bread, and water also, ceased, they moaned piteously, in such a way as children, enfeebled by thirst and by hunger, and fevered by the sun, can alone shew their small wants. There was neither milk nor pudding, nor any one left to play with them or to look after them. One unhappy mother, leading on each side a child, ran out from the shelter of the walls, exposing herself to the shots of the rebels. She was dragged back, only to endure for a few days longer that agony which she only, as a mother, could feel. Captain Thomson describes some of the children, when the water supply failed in the only tank on which they relied, as "sucking the pieces of old water bags, putting scraps of canvas and leather straps into the mouth, to try and get a single drop of moisture on their parched lips." But events were rapidly drawing to a conclusion.

The monsoons, so long delayed, were setting in. Their fortifications would soon be untenable. The rain, pouring as it always does by day and by night, when the rains first set in, would bring down to the earth the walls of the roofless barracks, already riddled by the enemy's shot and shell. The ditches, in which the few remaining ladies protected themselves from the sun and from the rifle balls, would be filled with water.

The provisions, which were now reduced to a quart per head of the coarsest Indian grains, such as were given to the cattle only, were soon also coming to an end. The powder, or so little of it as was left, would soon, under the first shower of rain become thoroughly damped, and rendered useless. Death, in one way or another, would soon face the surviving few. So attenuated by disease and hunger were they, that it mattered not when the end came.

While these were the soul engrossing thoughts of the garrison, a message was brought from the rebel camp, by an elderly person, who gave her name as Mrs. Jacobi, and who, being

dressed in Christian clothes, was allowed to pass the line of sentries who guarded the outposts of the entrenchments. She had been taken captive while endeavouring to escape in disguise to Lucknow, about the same time that the family of the Greenways were captured ; and who were imprisoned with her, in a room of the house occupied by the zenana of the Nana. The Greenways had stipulated that they should be released, on payment of Rs. forty thousand, and although negotiations had been commenced by them for the payment of this sum at Calcutta, the Nana had no intention of keeping his part of the promise. Through Mrs Jacobi, the innocent bearer of the epistle, Sir Hugh Wheeler and his garrison were offered a free passage to Allahabad if they would lay down their arms. These proposals were laid before a committee, consisting of Sir Hugh Wheeler, and Captains Moore and Whiting. The decision arrived at, after much deliberation, was, that under the circumstances in which the few surviving remnants of the garrison were placed, it would be advisable to enter into a treaty with the Nana. They had held out for twenty one days, through exposure and hunger, under an unremitting fire, and it was not possible to hold out any longer.

A meeting at dusk was called by the Nana, of the principal ringleaders of the revolt, and next morning Azimoolah, his nefarious agent, repaired to the entrenchments. He was met by Captains Moore and Whiting, and Mr. Roche the postmaster. It was agreed that the entrenchment should be given up, and with all its treasure, guns, and ammunition, provided that carriage should be found for the wounded, and the women and children ; that the men of the garrison who could still bear arms should be allowed to carry their guns with them, and sixty rounds of ammunition each, and that boats laden with flour should be in readiness to convey the survivors to Allahabad. These terms were solemnly ratified, and the Nana's agents promised to present them with goats and sheep also. The conference was broken up. A trooper brought back an answer from the Nana, to say that the stipulations were acceded to and confirmed, and a request was made for the immediate evacuation of the entrenchments that very night. Mr. Todd, the Nana's former tutor, waited on him, and was informed that the survivors might embark in the cool of the evening. A spot was treacherously selected by the Nana, where the English could not get to the boats easily, and where they could be fired on from the steep sides of the river, which were flanked by a high wall, and by steps leading down to the river's-edge.

There, on the bank of the turbid river, may still be seen the spot from which that devoted band were treacherously and murderously fired upon.

On Friday evening, Tantia Topee, who afterwards took a prominent part in the mutiny, was closeted with the Nana. Of the two, it was difficult to say who was the greatest and most treacherous villain, or who displayed, afterwards, the greatest cowardice. The result was, that between the two, they gave private orders that five guns, with five hundred musqueteers should be secreted near the place of landing. One detachment was placed by them under the ruins of a house, which commanded the river and the suttee ghât, for a distance of half a mile. A squadron of black troopers concealed themselves near the fisherman's temple. A stronger body of infantry and cavalry were in readiness for the evil work of murder. At the village of Suttee Chowra, sharpshooters and riflemen spread themselves lower down the river, some hiding behind trees, others crouching beneath the low brushwood and jungle which fringe the river's bank. Infantry, with some field-pieces, was posted lower down the river. On the opposite side of the river, guns were placed, so that if a single boat escaped, it might be readily shot at, or sunk. Such was the plan, and such was the execution of this act of treachery : an act planned and executed by the Nana and Tantia Topee ; an act, so black, that in all the range of history there is scarcely anything of a similar character to equal it.

The boats were resting on the sands, the boatmen had received their instructions to fire the thatched roofs, which covered each boat the moment the survivors should enter them.

On the morrow, the townspeople crowded to the river's bank, to see the few survivors—thin, pale, and emaciated, and fevered, with skins burnt by the sun's exposure ; with clothes begrimed with powder and dust, with beards unkempt and uncut,—march to the boats, apparently ready to take them to Allahabad. With the townspeople, came the mutineers, and the rabble from the filthy scums of the city, drunk with bhang, ready to heap the last insults on these few brave men and women, now departing under the guaranteed protection of the Nana.

Early in the morning the garrison took their last look of the encampment. There was no time to indulge in sad or bitter memories of the past. The future was yet before them ; the future, with its delirious hopes of life, but not without its presage of something fatal likely to take place ; for even at the best, there were many hearts that distrusted the promises of the rebels, and particularly distrusted the Nana.

A crowd of native carts were assembled to carry the men and the women to the river's side. An elephant was sent for. The wounded were placed in litters. No assistance was given by the natives, either in lading or unlading. Mutineers and

rabble alike, mingled with the throng of the survivors, and the ambulance carts carrying the wounded to the boats. As that sad group wended their way, first in the ranks, might have been observed the survivors of the 32nd Regiment, with their captain, thinking now lightly of the bitter past : unconscious of the tragic future. The wounded, and the women and children followed next. Last of all followed those who were able to carry a musket—men who had braved a thousand deaths but who had hitherto escaped it.

Major Vibart, of the second cavalry, brought up the rear. As the new band, thus escorted, reached the river, the city rabble watched them with the vulture's ravenous gaze, descending into the valley, into the shadow of death. As they reached the boats it was observed that not a single native, not a single boatman, lent a helping hand towards assisting in the embarkation. A sullen silence reigned around while the women were embarking. While the officers and soldiers were assisting, standing in water, knee-deep, to embark the children and the wounded, while some of the children were shrieking with delight at the sight of some cooked rice found in a corner of one of the boats, the sound of a bugle was heard. As the last Englishman had descended, the ravine leading to the boats, the bugle which sounded, caused the crowd to gather round, so that all retreat was impossible.

While they were yet in the river, trying to embark, the native rowers leaped from their boats into the water, after setting fire to the thatched cabins of the boats, and made for the shore, on which took place the tragedy that has so foully stained the page of Indian history. Then commenced the cold-blooded massacre. Major Vibart's troopers, who had conducted him with outward marks of the most abject submission and esteem, were the first to open fire on their commandant. The straw roofs of the boats simultaneously flared up in a blaze. Those who had embarked were scorched and suffocated to death. Those who were not already under the thatched cabins, threw themselves into the river. Those who were in the river, and had not embarked, were shot down before they had time to defend themselves. So sudden was this treacherous attack, that they had no time to use their weapons. The few boats that did not take fire, were pushed into mid-channel by those who were on board. But scarcely had they got into mid-stream, when from each shore broke forth a storm of grape and shell. Those whose boats had been burnt, and who had escaped the storm of bullets, were now determined to sell their lives dearly. Several of the miscreant crew, who set fire to the fleet of boats, were shot down by them. Many of the second cavalry, as well as

the infantry, who lined the banks, and now made their appearance, fled from the range of the English rifles, but leaving many of their men dead on the banks.

It was not until the cannons opened fire from either bank, and until nearly all of what was left of the late illustrious garrisons were shot down or drowned, that the mutineers returned in overpowering numbers, to finish the evil work they had commenced. The wounded, who could not resist, were shot or cut down, their bodies floating down the stream.

General Wheeler was nearly the first who was cut down by the troopers. He was descending from his palanquin, and as he stooped to get down, he was treacherously sabred. Little infants in arms were torn and cut into pieces before the eyes of the mothers who carried them. There were a school-mistress and several young school-girls among the garrison; they were burnt to death, in the boat which had been allotted to them. A villager, with a thick club, struck down the youngest daughter of Colonel Williams, as she stood knee-deep in the water. Other villagers followed this man's example. Mr Moncrieff, the clergyman of Cawnpore, was also beaten down, before he could finish the prayer which he had commenced for mercy to the Great Creator. One European soldier was beaten to death as he tried to escape. Another was shot down as he endeavoured to force his passage back through the crowd. A few Europeans only escaped in a single boat; they were principally those who had already braved a thousand deaths, when in the garrison walled enclosure. This boat had been allotted to Major Vibart, and amongst those in it were Vibart and Thompson, Delafosse and Daniel Blenman, a young uncovenanted civilian, who a hundred times in the garrison had braved death, but who, at the last, with several others, was destined soon to perish in this final effort made to reach Allahabad.

The monsoon, on that day, burst at Cawnpore with a hurricane. Under the pelting rain and the fierce hurricane, this solitary boat floated down the river, for some few miles; skirmishing to the last with the enemy, which now pursued them on either bank in countless numbers; an accident occurred, which once again placed them within the reach of the enemy. The hurricane drove the boat into a back channel, and there was now no chance of further progress. The steep banks, which overhung the channel, were crowded with their pursuers. The men fought as men fight only when they do so for their bare lives, and where no quarter is given or taken. They fought until their shot or sword wounds allowed them to stand no longer. The women and children, who survived the men, were taken back to Bithoor, and with

the others, who were already there, were imprisoned in the Savada house.

But while this terrible tragedy was occurring at Cawnpore, at Futtegharh, seventy miles away, similar atrocities were being enacted. It was unfortunate that Colonel Smith should have commanded the tenth Native Infantry there stationed. Colonel Smith, like too many other Bengal officers, believed in the fidelity of the Native regiments. He believed, above all things, in the staunch loyalty of his own regiment. When the Magistrate, Mr. Probyn, and the English and Christian residents had left Futtegharh, and taken refuge at the fort of Dhurampore, owned by the native landholder, Hurdeo Bux, who was willing to give them shelter, Colonel Smith insisted upon keeping his European officers in the cantonment; although the 10th Bengal Infantry had shown itself disloyal, had plundered the Government treasury, and had taken the treasure to their own lines.

On his representation, the residents, who had taken shelter in the fort, were ordered back to Futtegharh, and they, with the exception of the magistrate, and a few others, returned. But by the 16th of June, the regiment, which had so long wavered, joined the Seetapore mutineers. There was a small fort in the vicinity of Futtegharh, and to this place, the residents who had returned, resorted. For ten days they held out manfully against the enemy. During that time they lived under an incessant storm of shot and shell. But it was impossible for a few men to hold out against countless numbers, well armed—against odds which were greater than one to a hundred. When the last chance of holding out had gone, the besieged had recourse to the boats, and dropped down the current in the vain hope of reaching Cawnpore. Were they aware that the tragedy had ended there? The river was low: their pursuers were numberless. Each day their boats lost ground, the barges grounded, and were boarded, the enemy were repulsed severely by those who were still able to bear arms—but many who waded through the river to fire on the mutineers never returned. Some were borne back dying, others sank for ever in the river. The women and children were carried to Cawnpore, to swell the number of those already in prison. One gallant young man, who had fought bravely during the siege, sprang into the river and swam across unobserved, and tried to escape under the cover of the forest.

All that long day, under a burning sun, he had to plod on. Through air which seemed to be laden, not with the perfume with which thyme and honeysuckle had shaken out their fragrant censers, but with that heat which makes it sometimes appear to vibrate; between hedge-rows of cactus and prickly

pear, through villages where the natives looked on him with suspicion, besides fields where men worked who would be too ready to take his life, over roads, dusty and hot, under a sun which never ceased to burn or to shed down its molten rays.

The sun was setting behind one of the low blue hills, which terminated the view to the right. The forest, gloomy in the sunlight, looked still more gloomy now. The broad leaves that crowned the tops of trees, and made a sylvan shade, seemed to droop and strike against each other with a heavy monotonous sound.

He had wandered many hours when the storm and the rain again commenced. In India the storm rises suddenly. A single streak will appear in the distant horizon showing the first line of dark clouds.

That black streak will soon overspread the entire sky. The wind, whose distant moan when first heard, scarcely stirs the leaves of the giant trees, will soon rise with the strength of a hurricane, and rushing through the forest will lay low the giants of the forest, will tear off creepers that have safely rustled in their ancient trunks for years, will toss them wildly about so that they flutter like the threads of some brightly-tinted web. He had nothing to eat since he had left Cawnpore. His strength was exhausted. In this state he was met by a party of mutineers, and was cruelly, like the rest of that ill fated garrison, with the exception of the two who survived, put to death.

But the Nana's triumphs were short lived. Already there were rumours of an English army advancing from Allahabad Brigadier-General Havelock, with six cannons and a thousand English soldiers, was near at hand. He was reinforced by the troops under Major Renaud and Lieutenant-Colonel Neill. Benares had already been set free, by these few English regiments, from the rebels. The rebels besieging the fort at Allahabad, had been mercilessly put to flight by Neill and his Fusiliers. The regiments were few in numbers, the commissariat stores were low, the march was not a pleasant one. And here we shall describe this march, and the first passage at arms with the Cawnpore and Futtehar mutineers who were acting under the orders of the Nana, in the language of the writer, to whom we have once before alluded. "As in that fantastic canvas of old Durer, whereon the knight is journeying towards an unknown goal in unhallowed company, so to the fancy of those who were not incapable of vivid emotion even inanimate and irrational nature partook of that shade of the future, which was on every soul." "They waded in a sea of slush, knee-deep now, and now breast high; while the flood of tropical rain beat down from overhead. As far to right and left as eye could pierce, extended one vast morass; and the

desolate scene was enlivened by no human sound. Nothing was heard, save the melancholy croaking of the cicadas, mingled with the under hum of countless insects. There was no indication that the column was traversing an inhabited country ; except the bodies which hung, by twos and threes, from branch and sign-post, and the gaunt swine, who by the road side, were holding their loathsome carnival." Such was the country which was traversed quickly, in spite of every difficulty which offered, in spite of bad roads, of insufficient commissariat arrangement, in spite of heavy rains and hurricanes, and a scorching and blazing sun, far more pitiless than rain or hurricane. It was a small army. But it was an army of revenge :—the Nemesis, soon to right the great wrongs which had been done ; in the cold blooded-massacre of infants and children ; in the treacherous and cowardly breach of the solemn promise made by the Nana, through which they were entrapped to evacuate their entrenchments. On the 16th of June, the Fusiliers and the seventy-eighth Highlanders struggled up through the swamps to engage the rebel regiments which poured down in numbers to the attack. The sixty-fourth Regiment of European Infantry advanced in centre. The eighty-fourth on the left, the Cavalry supported the flanks.

In less than half an hour the action was decided. The Enfield rifle fire reached them, long before the Company's muskets could take any effect.

The enemy's guns were abandoned by these cowards, who had embued their hands in innocent blood. They were driven back to the town, and pitilessly shot as they fled through the streets. They were driven from every enclosure near the town where they sought shelter, from every house which in their flight they entered, and tried to barricade. They fled more rapidly than they had advanced. By noon, no trace of these rebels could be found within twenty miles of the town of Futtehpore. But their bodies littered the roads through which they had fled ; forming the food for some days of the jackal and of the hungry hyæna. They had hitherto made war upon women and children, and men, who from the civilian's desk, and from the railway engineering departments, and from their peaceful avocations, had to band themselves in a common defence, with insufficient arms and insufficient provisions.

They now, for the first time, encountered on the open field, and face to face, not an army, but a few regiments of determined British soldiery. The Nana at Bithoor began to tremble for his own safety. He sent his brother, Bala Rao, at the head of his reserve forces to make a second stand, a few miles from Cawnpore. Bala Rao, his forces utterly defeated, and scattered broad-cast over the land, returned wounded with a ball in

his shoulder-blade, to tell his own tale of the ignominious defeat at Cawnpore.

Once more was it resolved to meet the advancing British column. This time the Nana determined to lead his own troops. But before he did so, he ordered the massacre of the three Europeans who had escaped recently from Futtegharh, only to suffer imprisonment at his hand, and he also gave orders that all the English women and children hitherto imprisoned by him, should be killed. That order, which could only be issued by this monster, and which was in thorough keeping with the rest of his acts, was carried out to the letter. They were hacked to pieces by four hired assassins, who were sent there by him. The well of horror into which their mangled remains were thrown, has now been converted into a graceful shrine of white and chaste marble. A garden, with walks lined by flowering creepers and picturesquely planted trees and shrubs, now thrives around it. The shrine and the garden have been raised in memory of those who were thus treacherously murdered by the Nana.

This man, at the head of his troops, soon found that he had a very different enemy to deal with, from the small group composed of a few English officers and civilians, but chiefly of women and children against whom he had been fighting.

The mutineers fled at the very first onset, and although once only, when headed by him, they attempted to rally, they were soon defeated. The men dropped their weapons, stripped off their company's uniform, and fled to their villages. At night the Nana returned alone on a chestnut horse to Cawnpore. Next morning, in a disguise by which he succeeded in baffling pursuit, he fled with his wives to the forests of Oude, in hopes of getting to the wilds of Nepal. Long before he reached Nepal, he was supposed to have fallen a victim to hunger, and to the wild beasts which infest the forests of the Terai. He has never been captured, nor has he since been heard of.

The reader of the Greek Plays will remember, in the adventures of Iphiginia, in Tauris, which have formed the subject of that much admired tragedy by the Greek Poet, Euripides, as well as the libretto of the fine classical opera by Christopher Gluck, how, during the time when Troy was besieged by the Greeks, a small party were detained with Agamemnon by adverse winds at Aulis, and this, in accordance with the superstitious spirit of the times, was attributed to the anger of the goddess Diana, whose favourite stag had been killed by the renowned general.

To appease their fury, Calchas proclaimed that Agamemnon should offer up his own daughter Iphiginia—which he, under this superstitious idea, and compelled by his troops, reluctantly

did. Just, however, as Calchas is about to plunge the fatal knife in her bosom, she mysteriously disappears, and a substitute appears through the interposition of the goddess, while Iphiginia is transferred suddenly to Tauris, and is installed as priestess of the temple there. This story of Iphiginia, will serve for an illustration of India during the Mutiny.

Superstition based on ignorance had made the Brahmin sepoy fancy, that the use of the cartridge would enrage their goddess Kali. A prophecy in verse had declared, that the British rule in India would be overthrown, one hundred years from the battle of Plassey. The anger of the goddess required a sacrifice. That sacrifice was the British rule in India, which had raised India from the lowest depths of degradation and barbarism, to a level not inferior to that of other and more advanced nations of the East.

In their wildest dreams, they had hoped the prophecy would be fulfilled. But whilst yet the knife was raised, the intended victim disappeared. The prophecy was only, to a certain extent, fulfilled. The company's rule in India ceased, but in its place was substituted the government of India by the Queen-Empress, raising on the broken shafts and pillars of the company's eastern dominions, that vast fabric of Empire, which now embraces on one side the Eastern limits of the Burman Empire,* and on the other those of Afghanistan, stretching to the snows of Cabul and Herat.

This transformation, the result of acts which sprang from fanaticism and superstition, was very different from that which had been expected by the native Bengal army. Instead of the transformation they expected, they realized in the avenging army of Neill and Havelock, and of Lord Clyde, the Eumenides fiercer than the avenging furies of the Greek mythology, who pursued their rebel swarms, on every side avenging the wrongs that had been done by them.

It was during these years, that Lord Canning's patience and fortitude were called into requisition.

We do not know if there are any detailed memoirs of Lord Canning's rule, except what may be scantily gleaned out of the blue-books of the period. Lord Canning himself has left us few records of his time and rule in India. In his time, there were few opportunities of expressing his opinions or views, through the medium of public speeches. Without a Parliament of any kind, with a legislation and Supreme Council

* It is very much due to the soundness of judgment, and the firmness of will of Sir Charles Bernard, that we owe the acquisition of Western Burma, and a bloodless war.

where speeches are seldom made, and where, even during the debates on the budget, it has been the practice to read the financial statement, and on many other occasions to sit with closed doors; public speaking in India, has very little part in influencing the public mind. Oratory in India is not a power.

The power of influencing our fellow-men and subjects, either through the press or through public utterances, is not recognized. In Europe, editors of newspapers and great public speakers are considered to be the true kings of men, and those who write and influence the public, are considered the legitimate successors of the great thinking men of old, who influenced the mind and swayed the actions of the great in the heroic days of old. But so far from this being the case in India, successive viceroys have endeavoured to stop public discussions, and to establish a censorship of the press.

The periodical press of England, has always afforded the best interpretation of the facts of our political and social life, and when allied to political oratory, it has even proved an engine of political education to the people. The influence of journalism itself, in India, is still limited. But if its present power is contrasted with the past, it will be found to be greater now, in spite of the Government opposition to the press, than it was in the time of Lord Canning. According to the traditional civilian opinions of those days, the press in India was considered to be an organ opposed to Government. This it assuredly was not, in the time of Lord Canning, nor is it so in the present day. In some solitary instances, when acts of injustice have been done, when in remote districts where the voice of the public is not heard, it has brought to light acts of arbitrary power, and has often also endeavoured to show up abuses, such as no Englishman ought to suffer, and no Englishman ought to be guilty of. In such isolated instances, it is natural that young unfledged magistrates, just out of school, armed with the highest of judicial powers, when reflections too often just have been cast on them, should dread its public utterances, and it is not very surprising, that the son of the great Canning should for a moment have established a censorship on the press, in furtherance of those civilian views which then overruled his Council. But it is a matter of the deepest regret, to those who at this lapse of time care to review his public acts. It is a blot on a fair escutcheon, which for the father's sake should have been unstained. In India, as in England, journalism is practically a new and a powerful element in advancing national life. It has grown in England to be a recognized estate of the Realm. The pen there, has always been the master of the situation. The press has been a powerful

engine of national education, and national development. The freedom of the press, has been the growth of constitutional liberty. It has been the natural ally of all good government.

It has been opposed to despotism, and to injustice, and to that exercise of arbitrary power, which is still in India the most baneful legacy of the East India Company's government. But let it be hoped that this remnant of despotism is now slowly and surely being eradicated. The last Act, enacted against press correspondents in Afghanistan during the second Cabul Campaign, will give it its final blow. In the most brilliant periods of English Parliamentary Government, when the nation was dazzled with the power and genius of great statesmen, like Walpole, Chatham, Pitt, Fox, Burke, Sheridan, Peel, and the elder Canning, it was the press that aided the Government. But for the press, all the art of those great speakers, all their fascination, their wit, their learning, the power of their oratory, the brilliance of their style, would have proved useless. The public mind would not have been moulded to their views. The orators who now speak in England, whether in Parliament or out of Parliament, speak not to the few who hear them, but to hundreds of thousands;—to the readers of the overland and outward mails, in America, in Australia, in India, in China, in the remotest parts of the globe, where the English language is spoken, and where English newspapers are read. As quickly as the great statesman, the great orator, utters his sentences, they are telegraphed and reprinted in every country in England; sometimes, indeed, in the far remote colonies of the British Empire, often in New York, in Boston, in Philadelphia. The world reads next day at its breakfast-table, what was said at three o'clock in the morning, in the great hall of St. Stephen's. And yet George Canning, the first Viceroy, but not the first Governor-General of India, endeavoured to introduce a censorship of the press of India. At this moment, people in India still wonder how the son of a statesman, whose mind was so imbued with liberalism, could have lent the weight of his great name, and the sanction of the Government which he represented, to an act which was uncalled for—and for which his best apologists have yet failed to show that he had any reasons. But in those days, Imperialism was rampant at the Council Board. Lord Canning was new to India, and India was new to him. After the great surge of the rebellion had passed away, some of the political reforms introduced by Lord Canning proved, that the mantle of the father had not ungracefully descended on the shoulders of the son. Some of his political errors were great, but he rendered at first a too willing assent to the suggestions which had been made

to him, before he had grasped the many intricate and vast problems of Indian administration.

The close of the year 1857, takes back the reader to an evening, nearly fifty years before, when the old year was passing out, and the new year coming in ; when the last sands of the hour-glass pointed to another hour flitting away into the past abyss of time. As yet the bell had not chimed the knell of the old year, which had witnessed the death-knell of many a brave heart. In those days, when no steam-whistle broke upon the midnight hour, except in distant Bengal or Bombay, when no weekly line of steamships carried passengers between India and England, unsettling Indian homes ; when no taxes made a burthen upon the private purse ; in times neither chivalric nor philosophic ; hard by a rising village cradled on the breast of a wooded mountain, on the slope of the Himalayas, which looked down upon the ill-defined ruins of an ancient citadel, no trace of which is now left ; a house cradled on the slopes of this hill, was one of the first of those houses which were built on the spurs of the mountains on which Simla then stood. In less than fifty years, up to the time of the Mutiny, several such houses had been built. We have seen Simla extend itself for miles, the Capua of the Sunny East ; we have seen Naini Tal reflect a hundred lights on the blue bosom of its lake, showing the increase of houses. Mussourie, Landour, and Darjeeling are all fast growing into importance. In 1857 Simla was a town of considerable importance.

Although there could be seen in the dim star-light, the ruins of a few native fortresses, no romance clung to these, such as would cling to ruins of ancient monasteries, or to fortresses in Europe which had their associations.

These had none. Or if they had, they were not remembered, or were uncared for by the few inmates who were making merry within the principal room of the house which we have noticed. The house itself was added on to and enlarged ; one of those old structures which here and there dotted the hill side, but which were rapidly being replaced by more modern buildings. Such was the first hunting lodge built on Simla Hill nearly fifty years before the Mutiny.

A portion of the earlier structure still held its ground, wearing to the wondering fancy, an aspect not without some shadowy and fantastic resemblance to a turret at one end ; leading through damp passages, to the modernized building with which it was now connected. In front of the house was a garden, further on were brushwood and some more ruins, bald, and fringed with clustering weeds. A wreck of broken wall, covered with grey lichens, hemmed in the sight to the west. On the east, lit up dimly by the moonbeams

a half demolished arch greeted the eye, bending beneath its mantle of green creepers ; like the drooping of old age under the severity of monastic discipline.

It was pale moonlight. But one of the glass windows, which, for this occasion was opened, admitted the bitter cold. While the log fire burnt cheerily, as if to remind the inmates that though far from England, here on the spurs of the great Himalayan range, Christmas and New Year might still be kept as in the old country ; in spite of the political storms which were still surging in the West, heralding the battle which was to decide the fate of France. The window looked out into the garden, which had broad walks, and on the walks and on the lawn, the snow lay thick ; reminding the sitters by the fire of the Yule log in the far off old country.

The trees at Simla were not now in full blossom, as their branches bent over the wall, and above the trees rose the misty mountains in successive stages ; some wooded, some bare, others in the distance not perceptible by moonlight, but in the day glistening under the rays of the sun, for at this time of the year, they are always covered with snow. In April when the plains below lie sweltering in heat, the trees in the garden of this summer Capuan retreat are starred with yellow, and red flowers. Even the trees by the rocky hill sides are covered with a profusion of flowers ; bees and insects swarm, and the birds make sylvan music during the long hours.

In May, the trees and the flowers spring into radiance here. Down in the plains below, everything is dusty with the dust of the summer months ; everything is baked with the heat of the hot months, every leaf is encrusted with the brown dust, and looks dried and withered, just like the leaves and trees in a photograph, but here on these hills above the plains, the spring-tide bloom reminds one of England, —the spring-tide scents, and the living murmur of bees and insects, and birds, wake ancient memories of the nooks and corners of dear old Exeter and Devon. The branches laden with flowers, and especially those of the rhododendron, scatter a very rain of pink petals and golden pollen ; the birds seem delirious with delight, the very butterfly as it skims the scented air, largely imitates our butterflies of the plains, when they come up to the hills to enjoy a similar season.

In June, when the rains set in, and the fleecy clouds are changed into dull heavy ones, laden with rain, the country around becomes green, the trees become leafy, the flowers spring into life ; the birds sing out merrily, their sweet little warblings being heard from a hundred different trees, and when the evening sets in, whole broods of them find shelter amongst the

branches. From July to October the weather is misty, the damp unpleasant, the clouds are wafted on from spur to spur, or appear to rest for hours on the low bosom of some well-known hill. But when the sun shines out and the atmosphere clears, the massive hills, a few miles distant, stand out with well-defined and clear outlines. They deepen into a dark blue, and stand out in bold relief against the softened outlines of the eternal snow mountains. But for that one great difficulty of the want of water for so large a population, and for a population which is ever on the increase, why should not Simla be made the capital of India, why should Matheran or Mahableshwar not be made the capital of Bombay, or Ootacamund that of Madras?

In reality these should be the future capitals of the Indian presidencies. Why should Calcutta be retained as the capital of India? This question will be criticised by hostile criticism over and over again. Major Chesney, whose work on Indian polity, when published, gave rise to some discussion, and whose want of discrimination and of impartiality will always lay him open to blame, suggested that Calcutta should not continue to be the capital. Major Chesney, in a paragraph which was quoted by the *Pall Mall*, but which is not characterised by any grace of style or any felicity of diction, thus wrote:—"It does not, of course, follow that Simla should be made the capital of India, neither was it proposed by Mr. Maine, at least, who has been so much attacked on the subject, that it should. His proposal was, that the residence of the Government at Simla should be shortened; and that camps should be established at the beginning of the cold season, near each of the great native cities. Lahore, Agra, Delhi, Lucknow, or Benares, in turn; that the Supreme Government should there proceed with such legislation as would more especially affect native interests; with the advantage of the presence of natives, who though they would willingly resort to the towns mentioned, hate and dread Calcutta. The Budget, and such like, might be discussed at Calcutta or Bombay, under the influence of local European opinion."

Although the necessities of the British Government, a century ago, made it desirable that Calcutta should then be the capital, it is not necessary to continue it as such now. The sultriness of its climate, and the damp unhealthiness of its site, will always render it undesirable as a place of permanent residence. It is far more desirable to have a hill station for the future capital than a city like Calcutta. Simla, or Naini Tal, or Darjeeling, would be far more preferable and far more healthy. A city which, during the last twenty years, has so often been condemned, can never, in the estimation of the

public, be thought a desirable place of residence, or a desirable capital for all India. Whatever Calcutta might be, and it cannot be denied that it has grown into vast proportions, it cannot be said to be a healthy city, nor can it be said to be centrally situated. On these two questions of health and centralization depend the solution to the question of the future capital for India. And on those two points more than on any other, is Calcutta eminently deficient. Under any circumstances, Calcutta can never be said to be favourably adapted for the capital of British India. Neither the force of legislation nor the presence of the Viceroy will make it a desirable capital. It may not be too much to predict, that Simla will be the future capital of India, the seat of our future Imperial Government; the place where the first Indian Parliament House will be built, the centre of those future vigorous efforts which will utterly subvert the present despotism of Imperialism, and on its ruins build up the fair structure of representative Government not dominated by the whims or caprice of civilianism, but ruling India for the interests of India, and of her resident united Anglo-Indian and East Indian Christian people. From time to time, energetic and sagacious Indian Administrators, like Sir Henry Lawrence or Sir Richard Temple, men who were not ashamed or afraid of ruling public opinion by their personal contributions to the Indian Press, have suggested hill stations as the proper seats of Local Indian Governments. From time to time, but at few and vast intervals, have risen into existence our best Indian stations—Simla, Naini Tal, Mussourie, Landour, Darjeeling, Mount Aboo, and the Pachmarees. Any place which adds to the beauty of scenery or to the coldness of climate, must in India be looked up as a desirable place of residence. To this day, English travellers to Cashmere turn with contempt to the page of Indian History which narrates the political blunder, and the crass stupidity of an administration which, for a nominal advantage, bartered away Cashmere to oriental despotism. But while the only place which was thoroughly European in its climate was given away, we have at least the satisfaction to know that Simla is still a stronghold of health left to the Indian Government of this country.

In the year 1816, the sound of the axe was rarely heard in the back woods of fir and oak, which then covered the Simla hills. In that year, a well-known sportsman, Lieutenant Ross, little dreamed, while shooting on its snow-lined crests, in March and April, that he was destined to be the founder,—if we may so use the term,—of the future capital of India. He cleared a small space of forest land, not far from the shadow cast by Mount Jacko, and built the first cottage in Simla,

to which I have alluded. Similiar cottages followed. The love of sport drew civilians and military men from the plains, to its sheltered retreats. In those days, men lived like men. They did hard and good work, but they had their holidays whenever they liked. They were in no fear of a despotism of leave rules. They were not under a Government of secrecy and secret reports.

It was an age which was fruitful in good men and true, singularly adapted to develop the energies and to establish the repute of such men as Metcalf, Henry Miers Elliot, Sir Thomas Munroe, and Sir Henry Lawrence. Simla rapidly grew into importance. It did not, indeed, grow with the rapidity of a Trans-atlantic or an Australian city, because in India, everything is cramped, cabined and confined; but it grew, under an European climate, more rapidly than any other Indian town. It boasts of an area of eighteen square miles, from Boileau Gunge to Chota Simla, including the outlying ridges of Jacko. Not including the houses of the native town, there are now upwards of five hundred European houses at Simla. And it would not be overcrowded, if five hundred more were added. Its houses are irregular, but they are built more on an English style than the houses of the plains. The sewerage is still bad, but bad as it is, the town is infinitely better than other native towns. Its population has increased vastly. The difficulties experienced from a scarcity of water-supply, and bad drainage, have been considerably alleviated during the last decade. Its mean temperature is sixty degrees. Those who seek cooler latitudes and more shady retreats, can find a change at Mushobra, Mahases Naranda, and Chini. But Simla as a residence is healthier, and better adapted for English constitutions than the cities of the plain. We have all of us read of, and shuddered at, the strange practice of the ancient Mexicans, by which they represented, in the most lively manner, the irony of the fate which lurks behind the most prosperous destiny. They selected from among their youth, the one who seemed most endowed with the highest qualities of body and mind.

They surrounded him with pomp, they sated him with pleasure, and treated him in society with the utmost deference. This lasted for a year. At the end of that year, they offered him ruthlessly as a sacrifice to their sanguinary idol. Is it impossible to trace a likeness between the case of the unhappy Mexican youth, and that of successive Governor-Generals of India? We pick out from among our nobility, the man whose moral and intellectual qualifications seem to us best to fit him for high trust and responsibility. We place him at the head of a vast empire, and we arm him with power such as is possessed by

few. But we insist on a fatal condition, as annexed to all this power and all this greatness. We require our Viceroy to hold his court in a city built in the midst of a pestilential swamp, on the banks of a mighty river that seeks the sea through innumerable channels, through a district of wild and pestilential jungle. We load him with duties, which human nature, under the most favourable circumstances, is barely able to discharge. We add to this anxieties and responsibilities, such as require the entire force of a sound mind, in a sound body, to struggle against them ; and we have no right to wonder at the result. Death lurks behind all this splendour, and our over-laboured Viceroy either sinks at the post of duty, or drags himself home to his native land to languish and to die. The losses we have sustained in India have been too numerous to be fortuitous. Lord and Lady Dalhousie, Lord and Lady Canning have fallen victims to the climate : one lady in India, one on the voyage home—their husbands after their return to their native country. Two distinguished men, in the full strength of manhood, on whose well-tryed ability, discretion, and courage, the country had every reason to count, who might have filled a foremost place in the Councils of the Queen, and who brought the reputation of great wisdom and great success to the conduct of public affairs, have been lost from the same cause. Mr. Wilson, the best financier India has had, in the moment when the object of his mission seemed to have approached accomplishment, died at his post, manfully battling to the last in the cause of public duty, against an unseen and unrelenting enemy—that death which lurks in the air of the delta of the Ganges.

Lord Lawrence did not survive his return to England many years. The most herculean frames, the naturally strongest constitutions, have succumbed to the stifling heat, and the oppressive sultriness of Calcutta, during the summer months and the rains.

It is true that Simla, like other places, may sometimes have its epidemics. But what place in India is free from choleraic visits, from the occasional raids of small-pox, from occasional Indian diseases, the accompaniments of an Indian climate, from some epidemics, from which even European climates and European latitudes are not entirely free ? We may hope to find in this country, in the admirable political school which it affords, men on whom the mantle of our departed Indian statesmen may not unworthily fall ; but can we hope that we shall be able in future to obtain such men, for the arduous and anxious duties of Indian Government ? It is hard enough to be separated by half the globe from the land of one's birth, to break those ties of friendship which

a long absence will probably disunite for ever, to quit a society, probably the most attractive that the world presents, and abruptly to break off all the habits and associations that cling round an English gentleman of the highest rank. But if to these are to be added the conviction, that the labours and anxieties of an Indian career must only be regarded as the prelude to an early death, we shall no longer be able to fill our highest Indian appointments with men of the same calibre as heretofore.

We must trust to third rate diplomatists, or members of Parliament, who have made themselves useful to their party.

The destinies of our Indian Empire will pass into inferior hands, and the subject races of the East will be handed over to a different class of rulers.

These considerations are so serious, and are fraught with such enormous evils to so large a part of the human race, that we make no apology for asking whether they do not admit of any remedy.

Is it absolutely necessary that the Government of India should be fixed in Calcutta? Is there any peculiar sanctity in the banks of the Ganges, which forces us to select that most insalubrious spot, as the point from which the Viceroy is to direct the policy of this empire, and to rule the destiny of three hundred millions of the human race? Would Bombay, would Madras, would the Panjab, would Pegu, be worse governed if their rulers were placed in a healthy instead of a pestilential climate? What does India gain, by placing the Governor-General and his principal advisers in a climate, in which mental exertion must be a species of torture, and bodily activity is almost impossible? The natives of the British Isles rule India, because they are brought up in a hardier and more bracing climate, because they retain under the burning sun of the East, energies and capacities which make them superior to orientals.

Does not this fact point out to us, that it is no unimportant object to provide that these energies, which give to a handful of white strangers so incalculable a superiority over the native race, should be preserved as fresh and vigorous as possible, and be withdrawn as far as may be from all deteriorating influences of climate? There is no cause, except that found in tradition, why the residence of the Governor-General should be fixed permanently at Calcutta, and there are innumerable reasons why it should be fixed elsewhere. A Central Government may reside almost as conveniently in one part of India as in another, and there is no reason now, that the Governor-General is relieved from the immediate administration of Bengal, why his residence should be fixed in the East rather than the West, in the North rather than in the South,

Railroads and electric telegraphs, have given to all Governments something of ubiquity. It will be acknowledged that the best place for governing, is where the duties of Government will be best discharged, where the Governor best enjoys a sound mind and a sound body. Nor is there any difficulty in finding such a place. The surface of India is varied by every difference of climate and elevation, from the steaming and oppressive heat of Bengal, to the snowy regions of the Himalayan chain. In the several summer retreats, scattered amid the heights of that vast amphitheatre of mountains, are to be found places enjoying a climate perhaps as delightful as any on the face of the globe. The trees on these hills are the ornaments of our Indian gardens in the plains, and they bear without injury our damp winters and our cold springs.

Throughout the rainy and summer months, they present an aspect of verdurous green. Children on the hills recover the bloom of England. The exhausted resident of the plains draws new life from the temperate atmosphere there enjoyed. Why, then, should not Simla be recognized as the permanent official residence of the Imperial Government? Such a change is absolutely necessary, if the office of the Governor-General is to retain that high position, which all friends of Indian people, whom we have taken upon ourselves to govern, most earnestly desire for it.

We shall be told that such a change is not easy of accomplishment; that the traditions of a hundred years have pointed out Calcutta as the seat of the Indian Government; that public buildings have been erected, and habits formed which it is almost impossible to break through; and that the present Viceroys of India have no right to repine at inconveniences which their predecessors have borne without murmuring.

We have only to answer that, for some special reason, Calcutta has become a deadly residence to our Viceroys. Nor is that reason difficult to find. Our Indian Empire has been enlarged by repeated annexation, until, from the government of a single province, it has embraced all the races that dwell under nearly 25 degrees of latitude. The demand is for the utmost extent of European work, and this cannot be obtained under the most enfeebling of Asiatic climates. That demand has been nobly answered, and life after life has been laid down in the attempt to work an impossibility. We cannot reduce materially the weight thrown on the shoulders of those, who have to think and act for so vast a portion of the human race; but we can, if we will, place our Viceroys in a position more favourable for the discharge of their duties. If we ask from them European work, we should place them under conditions more nearly resembling those of an European climate.

The problem of Indian Government is changed. That problem is no longer now to retain a torpid inaction or leaden stagnation. We have entered here also on the career of progress. We should follow out our idea to the full. If we demand from our rulers more work than formerly, we ought to be careful to insure to them those conditions under which alone that work can be successfully performed. We and our ancestors have conquered India, and we hold it under conditions such as have never existed since the beginning of the world. We demand from it no tribute, no commercial monopoly ; we seek to administer its government purely and solely for the benefit of its people, and of its permanent Anglo-Indian residents, and this we do at a sacrifice of many valuable lives.

The Mission is a romantic, perhaps a Quixotic one. But we owe it to our own character for good sense and sound judgment, to reduce the price paid for so disinterested an employment, as low as possible. England sets a just value on the lives of her children, and ought not to squander them in leading the forlorn hope of European civilization in the East. Both Lord Dalhousie and Lord Canning did not live long after their return to England from India. And what is true as regards our foremost men, is equally true as regards those Europeans who hold less prominent official positions in India, and of those men who, whether as merchants, as professional men, or as traders, have to undergo the rigours of a climate which, in the summer months, is fatal to the English constitution. Successive Viceroys, who have ruled over the destinies of India since Lord Canning, have felt this. Far better is it to be looking on dark outlines of massive hills, thrown into fantastic shapes, than on a river, foul with the dead bodies of the Hindoos. The sky, always beautiful in India—like an Italian sky—assumes that transparent blue tinge, which is so admirably copied in the paintings of Perugino ; or in the pictures of Claude. The climate of India has been much, and in some instances, justly, abused. The heat of the plains makes life stagnate. The sultriness of the rains is too often, even when away from India, remembered long afterwards. The cold season is always delightful ; but if there be any pleasant association connected therewith, it is this, that whether in the delightful month of December, whether in the rains of July, or in the hot summer months of April, there is always a bright sky, a sky so ethereally blue, that we might almost be tempted to forget the asperities to Indian life, when gazing up into its blue deep abysses. Why it is that such a sky,—that this ethereal blue, that this brightness, almost polar in its clear depths, should so often attract the gaze, as if it were

that in those unlimited depths we should be looking for the first faint opening—for the first dim foreshadowing of something better than fever and miasma? And that in a land so unbearable in its heat, in its climate, in its general surroundings as India.

Certain it is, that in the great hardships and sufferings which were borne in the memorable year 1857, by the unhappy residents of the plains, and especially by those who were so unfortunate as to stand a siege, the few who, in that year had the good fortune of remaining at Simla, were, at the close of the year, thankful, that their isolated and inaccessible position had freed them from those fears and anxieties, which down in the plains were experienced at every station from Calcutta to Peshawur.

And how did the close of the year 1857 affect Lord Canning, at his palatial residence in Government House, Calcutta? In Calcutta, too, was the closing of that year watched with more than unusual interest, for it was a year which had affected nearly all. Many mourned the death of friends, or of those who were nearer and dearer to them than any friends. The sobbings of the New Year were laden with the sighs, and the fitful moanings of the breeze, which came wafting over the graves of those, who, a few months ago, were in the full flush of health and of life. The New Year 1858 was destined soon to usher in a new state of things. Lord Canning might have experienced many a sad regret, as the hour struck twelve, when, as in the language of Tennyson,

The old year lay a dying,
And the New Year blithe and bold
Came up to take his own.

To him what varying moods of mind did the passing and coming year give rise to! For on him, in all that broad land of India, rested a grave responsibility. How strange to him appeared the phantom of that year 1857, reeking with blood, echoing the wail for the dead and the dying; resonant with the sound of that one word, revenge, on the lips of every European in India. That year, too, was different from other Indian years. It was just becoming one of the vanished phantoms of the past. On that night, there were no steps on the floor of the Viceregal Government House, no music of foot-falls, no echo on the boards, which often before had resounded to the sounds of music, of laughter and of dancing. As the pale phantom of that year glided away into the darkness of the past, no sound arose, that made those who then were there miss its echo, through all the long year to come that was now newly born.

Like the phantom shape sketched by Dante, it seemed to steal away noiselessly, down the carved and gilded staircase,

sweeping with light quick steps, noiselessly and still, from carpeted landing place to statued recess, until it was soon to fade into the boundless space outside. To Lord Canning, and also to how many outside of the walls of that house, did the fitful gasping sob of the old year, sound like the last wail of a dying spirit? To how many, in all parts of India, did the death of that old year awake the melancholy idea, so well indicated in the line by Dante, in the *Inferno*.

"E caddi come corpo morto cade."

Not the least among the momentous changes which the year 1857 had caused, and which the new year was bringing in, was one which had already been foreshadowed, in a despatch received by the Governor-General of the East India Company.

It was soon to be an accomplished fact. The extinction of the East India Company's Government, and the formal transfer of the entire Indian Government to the Crown, were to take place. The East India Company was to be no more. In its stead, over the vast domains of British India, the Empress of India and the Queen of Great Britain was to reign. The Company which sent to India Lord Canning, was, like many other great institutions, drifting away into the abyss of the past. The servant whom they sent out, was no longer to acknowledge the authority of his masters. The late Company itself was destined to pass away, adding another illustration to the things that were; affording to the moralist another memento of departed greatness, which teemed with reflections suggestive as any which were once associated with the departed greatness of the Cæsars, with the memories and the triumphs of ancient Rome; as full of morals as those connected with the marble fragments of Carthage, over which Marius wept, grander than the giants' tombs of Troy, which brought sad reflections to the mind of the great warrior Alexander,—more awful with the shadow of dead-thrones, more forcibly suggestive of the swift passage of all imperial things to their end, than even the prospect of Athens, of Corinth, of *Ægeria* or of *Palmyra*, in their decay.

The old pathetic elegies upon the glories of past greatness, crowd upon the mind, as we peruse the last page which concluded the great work of the East India Company. History has recorded too well its rise, its brilliant triumphs, and its fall. Akbar's mournful reflection on all departed greatness, may well have been written on the portals of the Company's house in Leaden-hall-street.

"The sum of all in all the world is nothing after all." The evanescent triumphs of the Cæsars were not more transient than those of this once great company of merchant traders.

The letter of Servius Sulpicius to Cicero could not have added a more striking illustration of short-lived splendour and subsequent decay, than what its history has afforded. Marc Antony's exclamation : " But yesterday, the word of Cæsar might have stood against the world," might be made to illustrate the potent authority once wielded through its despatches by its chairman and its directors. In its palmy days of power, it wielded at its will the destiny of Eastern potentates. Its record formed part of the proudest and most gorgeous story of the acts of merchant princes. Never since Jason went to sea in search for the golden fleece, were merchantmen so successful. For one hundred years were its directors the actual Senate of the East.

On the ruins of the Indian Empire, they built a fabric of Government, which left no rival in the fields of the East. When the company appointed its writers, it gave to them, in point of fact, the powers of pro-Consuls and Chief Magistrates. When it named its chiefs, sovereigns and ministers of Foreign States recognized them, not indeed as rivals, but as the executive heads of the Great British proconsulate in the East. Governor-Generals, who had established names for themselves in the niche of history, bent to its mandates. The proudest names of English history, names which have left an indelible stamp on the history of the East, took the origin of their greatness from their association with that proconsulate. Clive, Hastings, Cornwallis, and Wellesley, veiled their pride before their employers, and in their despatches, they " always trusted that their acts might please the Directors."

Governor-Generals—themselves the arbiters of Eastern thrones—had to acknowledge the authority and act according to the instructions which bore the sign-manual of the Directors. The simple signatures at the foot of a despatch, declared war, or concluded peace ; dethroned a prince, or upset a sovereignty. They pulled down Eastern kingdoms. They set aside preferred royalties. They made their power felt within the palace walls of Delhi, in the councils of the Nizam of Hyderabad, within the walls of the palace where Scindia swayed his dusky millions ; within the remote snow-clad fortresses of the chiefs who owned fealty to the Maharaja of Cashmere. Their signatures gave to the magnificent servants to the Company, their diploma to be rulers of Asia. Even in the Houses of Parliament was their influence felt and recognized.

Lord North in vain opposed the will of the Company, with all the influence of his power. Pitt and Castlereagh used all the forces of the Crown and the Parliament, before they succeeded in breaking up the monopoly of India, which was so rigidly held by the Company. In the days which

immediately preceded Lord Canning's assumption of the Viceroyalty, and especially in the days of the last pro-Consul, Dalhousie, through the Chairman's signature alone, kingdom after kingdom in the far East, was added to the superb domain of the traders in tea and silk. The Governor-General of the Company's time were virtually uncrowned Sultans. But they were more powerful than the phantom kings who ruled at Delhi, or the oligarchy of native chiefs who swayed the destinies of the subjects of Oude, or the last of those Mahratta chieftains; who had essayed to make Central India their own. Piece by piece, the glittering mosaic of the Indian Empire had been built up. From the few acres of land purchased "for a wharf" on the banks of the Hooghly, it had extended, until it had absorbed province after province. But the time came, and with it the inevitable. In the language of the Persian poet, "that which is written upon the forehead, will be done." And so it was with the East India Company. When the great struggle between the Crown and the Company took place, scarcely an effort was made to retain the Eastern Satrapy which its warriors had helped to win. Military greatness had been thrust upon the representatives of the Company who sat in Leadenhall-street, but military greatness was not what they desired. Despatch after despatch showed how little they valued their fresh acquisitions. Between the warriors in India, and the merchants in Leadenhall-street there was always a bitter feud.

They desired the spread of manufactures. Their soldier statesmen in India were intent on the manufacture of Empires; while they demanded tea and silk, Cashmere shawls, jute, indigo, pagodas, and rupees; they obtained provinces and districts, and enhanced expenditure, but they wrote out indignantly to reduce the military expenditure. The first withdrawal of European regiments heralded the Mutiny. They drove their greatest warriors wild, with their mercantile reproaches. They were the last to forward despatches which might stop trade and initiate war. But when war was once declared, they reluctantly sanctioned it. Yet province after province fell to their lot. The Mahrattas, the Panjabees, the Rohillas, the Pindarees, the warlike chieftains of Oude, the half-civilised barbarians of Assam, equally bent to the force of the stubborn will of their lieutenants as the suppler Hindoos had done before them, at the Battle of Plassey. Jewelled crowns were sent as souvenirs to the Leadenhall counting house. Their warrior agents were welcomed home in a princely way.

Formal dinners of victory were given to their delegates. Jewelled swords of honor were presented to them. And what

the delegates valued more than all, princely pensions were bestowed on those, who had, although against orders, thrust greatness on the merchant princes of Leadenhall-street. But the days of the Company were numbered, and it was left to Lord Canning to publish to India the proclamation of the Empress of Hindoostan. Among the native chiefs, those who had remained staunch were the Nabob of Rampore, the Maharajas of Gwalior, Indore, Jeypore, and Jummoo—the Rajahs of Jheend, Nabha, Puttialah, and Kapurthalla, and the Begum of Bhopal. On these special honors were conferred.

Delhi soon fell, the old king of Delhi was transported to the Andamans. His sons were killed by Hodson, and for three days their bodies were exposed to the public gaze of the populace in the Silver-street of the city of Delhi. Central India was cleared of the rebels. Oudh was re-occupied. The Sikh army, hastily organized, for a time took the place of the disbanded regiments of Bengal mutineers. In the general wreck the Company passed away, and the Queen of Great Britain, throughout all India, wherever the British flag waved, was proclaimed thenceforth the Empress of India.

When the mutiny had not yet been quelled, while the Lucknow garrison had not been saved, and Delhi not yet retaken, the passions and prejudices of the English against the native rose to a fever height. There was a bitter animosity displayed of race against race. This feeling was not alone limited to the Europeans unconnected with the services. It was shared by civilians and soldiers alike. The conciliatory policy of Lord Canning towards the natives was generally condemned. He was nicknamed at the time "Clemency Canning." The following extract from a letter written at the time, by an official of large experience and high standing, will show how intensely bitter was the party spirit which then animated, at least one representative section, of the ruling European community in India.

The writing is now faded, and turned yellow; and the characters, after this lapse of years, are just barely legible. Here are a few extracts. The writer says: "It is five years since I landed in India. We have just passed through a very tempestuous, and a very critical time for India."

"I have not been an uninterested spectator, during this time, of Indian politics, or of the acts of our Government. That Lord Canning did not do as much as Lord Dalhousie would have done during the mutiny, is avowedly admitted in the highest circles at Calcutta. 'Would that Dalhousie were here' was the exclamation of many. He would have rallied the Europeans round him. He would have caressed the press. He would have headed the forces, which were pressing on to

the rescue of our countrymen at Cawnpore. What soldier would have wearied under the sun, when it burnt the lordly brow of such a Chief! But Lord Canning had the services of Neill and Havelock, and Outram, the Bayard of the East. Also to the East flocked the Crimean heroes. Colin Campbell, Mansfield, Wyndham, Sir Hugh Rose, were all doing good service as leaders, and such men as Herbert, Wilson, Neville, Chamberlain, Nicolson, and Helson, with their Indian experiences, were not wanting in the emergency of so grave a crisis. And yet I own, I am disappointed, not with the result of this war against our own native army but with the action of the Viceroy. Now an impartial review of all that Lord Canning has done, the vacillating debates of the Council from the conciliation shown to the natives, and the suppressed spirit of intolerance displayed through India to Europeans, in the country, there is much to raise a bitter feeling against the Indian Government. You are a classical scholar, and in the words of laconic Horace—

‘Nil admirari.’

You now read my views of the present government, views such as these at the time were shared by many.”

Yet Lord Canning, when not shackled by his Council, tried to rise to the emergency of the times. He pushed on reliefs as quickly as he could. He obtained reinforcements from the regiments which were on their way to China, and although outwardly calm, he never forgot the responsibility, which, during this period of his Viceroyalty, vested on him. After the waves of rebellion had subsided, he proclaimed an amnesty for all, with the exception of those who had been ringleaders, or those guilty of some heinous offence. Reviewing calmly the proclamation which was issued, we even now, at this distance of time, think that the calm neutrality which endeavoured to place all religions on the same footing, was a political mistake. It was, to use a metaphor, turning our backs to the fiery pillar, which in India had guided us through many dark nights.

It was after the day had been won, to fold the banner of victory and to throw it aside irreverently.

It is not too much to assert that the natives of India respect us not the less, because we respect the Christian religion. But they respect us less when we discard our religious belief in that faith, which in the West, in spite of every obstacle and opposition which ignorance, superstition, or fanaticism had brought to bear upon it, had nevertheless triumphed. That faith has withstood the opposition of governments. It has equally withstood shocks from fanaticism, and attacks in our own day from atheism. The sneer of the infidel or the

irreverence of the epigrammatist, are alike powerless against its eternal truths.

The events of the world's history have proved, that instead of losing its hold on the hearts of men, it has strengthened with the growth of years, since its principles were first taught and understood in the first dawn of its infancy. Wherever we turn, we find that old prejudices, based upon superstition, are falling away from men's minds, that old fetters are being shaken off, that sight is penetrating where darkness had existed before. Nations which seemed before to be unalterably shut out from the influence of its precepts and its maxims; and races that once appeared to have opposed an impenetrable barrier to all efforts which had been made to reach their hearts, or to appeal to their reason, have been eager to enrol themselves under the banners of the Christian faith. Japan will furnish us with a singular, but not with a solitary, illustration. Some Indian districts in the Presidency of Madras, in recent times, have voluntarily followed that example. We have seen ancient nations, with an ancient civilization of their own, with old institutions and an established body of preachers, with hereditary laws and customs,—throwing off their prejudices, and consenting to undergo a political and social transformation,—more like the marvels of a fairy tale, than the events of sober history. We have within our own days seen religious changes so sudden, that some apprehension may reasonably be entertained for their permanency. We have seen the growth of faith in Western nations, strengthening their national life, aiding their civilization, adding to their political strength.

We have seen, too, the growth of infidel opinion, forming to a great extent the chief disintegrating element in Western social life. We have seen, in some instances, the growth of the denial of faith, but with this, also, the increase of true light, breaking down any departures into the domains of materialism. The philosophy of Hegel and the scepticisms of Straus, have alike failed to shake the belief in the great truths of Christianity, and in the personal government of the world by higher than mundane powers. We have seen the gradual progress of Christianity in heathen lands, shattering old prejudices, dispelling old errors, dispersing ancient darkness. Christianity as a religion, has never been forced on the world. But while no one desired that Christianity should for a single moment be forced upon the masses of India, it was not expected that an avowedly Christian government, in an unchristian land, under the veil of cold neutrality, should place the religion of the classes which governed India, in the same rank and in the same category as the religions of the heathens. Christianity and civilization have, in the West, grown together.

Christianity seeks no special fostering care in the East, and even in the East it will form, whether cherished by the State or not, one of the real springs, one of the principal elements of civilization.

But whatever his opponents and critics may have had to say, at the time, much of the acrimony then felt has now passed away, and even his opponents could not refuse to give him credit for some of his civil reforms. The work which he initiated may be here briefly summarized.

The question of army reform was the most pressing, and engaged his earliest attention.

Taxes were necessary to be levied to recoup the State for the loss it had recently suffered.

Expenditure had to be reduced, especially in the overgrown department of public works.

Peculation, on the part of native contractors, had to be suppressed.

A State paper currency was needed, and was introduced.

A trained financier from England was required, as an absolute want, and Mr. Wilson, the editor of the *Economist*, was sent out. It would have been better for the financial prosperity of India, if Lord Canning's scheme for obtaining trained financiers from England had been adhered to, instead of conferring these appointments on retired Indian civilians, who had never served a day's apprenticeship in a financial office.

The Police system, during the mutiny, had collapsed. A new system was introduced. The nominal control of the constabulary by Magistrates, was found defective.

The new force had to be trained to military discipline, and were superintended by officers of the military and uncovenanted services.

The law courts had to be amalgamated. The system of nomination for the Civil Service was to be done away. Competitive examinations were in future to be enforced, for admission into the Civil Service. These examinations, held in London, were opened to natives as well as to East Indians. Legislative Councils had to be introduced; and the first principles of the representative system had to be inaugurated.

The great defect in the Indian Constitution, then was, the absence of any representative element in the Government.

It was hoped that an introduction of a popular representative element in the Legislative Council, would remedy this. But it has proved to be ineffective. To this day India has, although heavily taxed, no representative system. And yet that which public opinion and popular feeling have effected for Canada, for Australia, for the West India Islands, and the Cape, and for New Zealand, has been denied to India. The reason of this

is, that the Government of India still cherishes a liking for an oriental despotism, and the European settlers in India are too few and scattered, to make their influence felt in the State. Unless a popular representative form of an English Parliamentary Government is introduced, India will remain very much in the state that she was before the mutinies. The independent European, and the European uncovenanted interests, are entirely unrepresented in the Government. And yet this should not be. These classes represent a very wide section of the Indian community.

They alone, like the natives, have a permanent interest in its national prosperity. In another half century India may become, if she progresses as she has done, one of the most magnificent countries in the world ; and it is a political error to keep those sections most interested in India, from a share, in the administration of her affairs, or in legislating for her future advancement.

Under the title of "A statement exhibiting the moral and material progress of India," there appears year by year a blue-book, which is more wonderful, rightly considered, than any oriental romance. Wealth beyond the dreams of all the Alnaschars, glitters between its sober official covers, and sovereignty beyond the ambition of Akbars and Arungzebcs, is evidenced by its chapters ; nor could the least attentive reader turn to the pages of this "Annual Statement," without understanding how well the late Lord Beaconsfield was justified when he said, "that England was in reality an Asiatic power." Up to Lord Canning's time, however, this deeply interesting annual conspectus was not easy to read, at all events, for those who must read quickly. The contents were arranged locally, and the bewildered mind was carried from topic to topic too abruptly to gather the general result. What Lord Canning tried to do, was to present the English public with a lucid and copious summary which might give the well informed an excellent account of the year's doings in Her Majesty's Eastern dominions, while the most casual perusal may have sufficed to show of what enormous moment to Britain the secure possession of our Oriental sceptre is, and must continue to be, in spite of the present Russian advance on our Western frontiers.

But scarce had hopes of a bright future been held out, then once again had the Government to battle with a fresh difficulty, in the famine which commenced in Upper India, and spread to Orissa. No sooner had the Indian Mutiny subsided, than came dread famine in its footsteps.

The traveller who attempted to journey along the high road from Calcutta to Pooree met with nothing but starvation, disease, and death, at every step. From the banks of the

Hooghly at Oollooberiah away by Midnapore to the sands of Pooree, washed by the Bay of Bengal, he saw deserted fields, empty villages, dying wretches, and putrid corpses, with dogs and jackals,—sleek and plump, feeding on the dead. If he left the highway and went into the interior, or penetrated into the malarious jungles of the Tributary Mehals and Hill States, along the scene of human sacrifices, he found either desolation or barrenness, occasionally relieved, if that may be called relief, by groups of dying savages who totter along seeking food, or families of apathetic Ooryahs who waited quietly for death without an effort to resist it. On one side are the traces of ruins which were left by the great cyclone, on the once fertile fields, made barren by the sands with which a series of inundations had covered them; on the other, the droughts of summer had been succeeded by the deluge with which the overcharged Mahanuddy has so often swept away smiling villages and annually threatens to submerge Cuttack the capital.

Famine and inundation, commingled from time to time with insurrection and pestilence, had been the alternate scourges of Orissa, a land nearly the size of England and Wales, and occupied by only a fourth of their population. Yet not three centuries have passed since Orissa was the garden of India; the Mecca of Hindustan, a Mecca planted in a garden of abundance. The splendid ruins all round tell what it was under Hindu rule. When, in 1850, Akbar's great General, Sivai Jey Singh, conquered the country, he was amazed at the spectacle presented by the Mahanuddy, whose banks everywhere excelled in all the signs of wealth and civilization. As he gazed on the stone temples, gorgeous rites, rich bazaars, and crowded streets of Bhuvaneswar, the old capital, he is said to have exclaimed:—"This country is not a fit subject for conquest and schemes of human ambition. It belongs wholly to the gods."

What the Mussalman began the Mahratta completed, till the garden became a wilderness and the capital, a desolation, haunted only by the jackal and the tiger. But had the benevolent rule of Christian England done nothing towards ameliorating the results of the fanaticism of the Mussalman and the cruel rapacity of the Mahratta? But little of the wealth of Orissa is now left, and Orissa now presents a contrast to its former glory. When five millions starve and die where double the number were once happy and prosperous, sending forth their ships to the far, something must be wrong. Eastern isles, and acting as the carriers of all Hindustan. Yet in this province, ruined by the cupidity of the Moslem, and the free lances of the Mahrattas, did the famine rage most strongly. The famine was not combated as in more recent times, it was met in Bengal by Lord Northbrook; but the fault was owing, principally, to his lieutenant, who ruled

over Bengal and Orissa. Colonel Baird Smith's report of the famine in the North-Western Provinces of India, should be read by those who take an interest in the evils which constantly cast a shadow on the Indian Empire.

Thus was Lord Canning's rule marked by more horrors than one, the mutiny, the massacre at Cawnpore, the famine of Orissa, but let us turn to more pleasant topics. The "Star of India,"—the Indian order of knighthood was instituted in Lord Canning's time. The Rajah of Puttialah, the Maharajah of Gwalior, the Begam of Bhopal, and the Nawab of Rampore, were the first who received the investiture. It was felt that an order of knighthood for India would be appreciated, and the first grand master of the order, Lord Canning, was empowered by the Queen to confer the honor of knights bachelor on such persons as may, from time to time, be nominated by the Queen. In the museum at Delhi, where his portrait is still to be seen, he wears that order on his breast.

So uniformly has this honor been conferred on native chiefs and members of the Indian Covenanted Civil Service only, that so far as the European community in India is concerned, it has ceased to have any special interest, the order is not coveted to render it popular, it should be extended beyond the narrow groove to which it has rigidly and jealously been limited by the advisers of the Viceroy who have succeeded Lord Canning. It will never be considered to rank, by the public unconnected with the Civil Service, with the purely English orders of knighthood. It is well-known that in A. D. 1343 Edward the Third had created the highest of English orders,—the Order of the Garter. Half a century later, Henry the VIII instituted the Order of the Bath. Queen Anne, indeed, would have established the Order of "Minerva" for literature. George the Fourth met the various claims for distinction, in 1815, by extending the Order of the Bath, and by dividing it into the three classes, of Grand Cross of the Bath, Knights Commanders, and Knights Companions, but would these honors have been desired, and sought, if, as in the case of the "Star," it was to be invariably conferred, not for merit and distinction, but on the members of a special class alone. Nothing fosters class-prejudices so much in India as this invidious distinction being always conferred on the members of one favoured class alone.

In person Lord Canning was tall, his demeanour dignified, his address precise, his articulation hesitating, his voice clear. But while his expression was dignified and calm, his forehead high and ample, a close observer would have observed a painful and habitual indecision in his lips. Irresolution was Lord Canning's chief defect of character.

The portrait hanging on the wall of the Delhi museum forcibly illustrates this. Not so were the characteristics of the chief officers who served under him. Outram was decided, although courteous and genial, Sir John Lawrence was the same, although brusque. Havelock and Neill were specially so, though constrained and not inactive. Sir Bartle Frere was tall, thin, silent, and retiring. Mr. Thomson, the Lieutenant-Governor of the North-West, was agreeable to talk to, from his modesty and from his keeping self in the back ground. He was tall and very lame. Mr. Colvin, his successor, was genial and conversible, and the Finance Minister, Mr. Wilson, though formal, and apparently ill at ease, and constrained in society, was singularly self-willed and decided in his acts. Mr. Wilson was at the time the popular chief of the Finance Department, which had then been recently remodelled. There were then only two departments in India which, more than any other, had the largest element of outside talent, that is, talents which belong to men selected for special aptitude or fitness for work not belonging to the Civil Service. They were the Educational and Financial Departments. But the officers of these departments worked hard for their rewards. It may be said of the Finance Department—

*"Aucun chemin, de fleurs
Ne conduit à la gloire."*

No flowery road led to their promotion, latterly, nepotism crept in. There have been many greater statesmen than Lord Canning, but on none had rested so grave a responsibility.

The grave task of reform was imposed on him at a time when he was overwhelmed with a chaotic mass of record and rules, and procedure. His was the work of reconstruction. The work of such men as Clive, Hastings, Wellesley and Dalhousie, was that of conquest. They, too, while extending and cementing the fabric of the great Empire in the East, were exposed to grave and terrible crises. They had year after year laid the foundations of the Imperial edifice. They had added story after story to the splendid fabric of the East. But Lord Canning had to exercise self-reliance and courage of mind, when he had to stand undismayed amid the crash of the towering fabric of the Indian Empire.

Had Clive lost Plassey, had Warren Hastings fallen at Benares, had Wellington been defeated at Assaye, the shock to our prestige would not have been so great as it would have been, had India been lost to us during the mutiny. In the days of Clive the British had to contend against vast masses of armed Indian troops.

But those troops were undisciplined. During the mutinies we had to contend against the very armies which had been trained, and disciplined, and armed by us. In the days of

Clive the Hindu and Mussalman forces opposed to our arms, were unacquainted with any military discipline, but the easily acquired one of dying on the battle-field. We had no relations with foreign Asiatic powers; the Indian possessions in India were small and unimportant. But during the mutiny, our rule extended to the frontiers of Cabul, and we had diplomatic relations with Persia. The gaze of Europe was fixed on India. All Asia looked on with breathless interest, and watched the result of this strange war.

At the moment when the counsels of passion were strongest, when spirit rose highest, when the light of reason was most dimmed, when even calm intellects could not pierce through the cimmerian gloom which rested on the land, when the weird lights and the incendiary fires rose over scenes of torture and death, when the bubble of voices was most terrified and discordant, when every horror was aggravated, when the public mind in India was agitated to a degree which it never had been before; Lord Canning alone stood heedless of the cries and calls round him for revenge.

He had to brave the ill-feeling of his own countrymen, and opposing himself to the passions of the hour, he endeavoured by mildness, by kindness, by conciliation, to calm the suborn waters of that sanguinary rebellion. While Sir John Lawrence, the pro-Consul of the Panjab, was hurrying up his battalions to Delhi, while civilians were urgent for their restoration to their pashalics, while soldiers were fiercely intent on recapturing the last strongholds of the rebel army, Lord Canning was considering calmly and thoughtfully the best mode of again vindicating the Imperial power. And he succeeded. But that success was mainly owing to the British army, and to that higher power which overrules the destinies of India and of nations. The statue of Lord Canning, side by side with that of his illustrious father, will arrest the attention of the visitor to Westminster Abbey. Let us forget the horrors of Cawnpore, but remember the now no longer living statesman who passed through those fiery trials, as he stands side by side with his father, sculptured in what chaste marble which distinguishes the monuments raised to the dead in the ancient fane of Westminster Abbey.

G. W. CLINE.

ART. V.—THE BENGAL TENANCY ACT.*

IN endeavouring to forecast the working of any large project of legislation in India, it is well to remind ourselves from time to time of the great gulf that is fixed, between the theory of Secretariat made-law, and the practice of the agricultural community. It takes a long arm to reach the raiyat; a still longer one to touch the middleman, while the mahajan has been the despair of legislators since the beginning of time. Truisms such as these are perhaps too easily forgotten. We are apt to look at things too much from the Cutcherry point of view, and to fancy, because our files are heavy and our brains are tired, that the stir of litigation reaches far afield, and that whole districts are watching the little new law of the Courts. But away from head-quarters a quieter atmosphere prevails. There, in the village, it is always afternoon. Legal Members, with their vain imaginings, may come and go, but all the time the ricketty bullock-cart of Oriental life creaks along in its old rut in spite of the craftiest attempts at greasing its wheels with extracts from Equity text-books and cuttings from American codes.

Considering, indeed, the conditions under which laws are made in India, we may find some reasons to be thankful for the *vis inertiae* which continually putson the drag and prevents theiraction from being too rapid. Bureaucratic governments, all the world over, are peculiarly subject to the attraction of doctrinaire ideas, and in India it frequently happens that a bundle of notions, adopted by a few influential officials, may obtain prominence and recognition out of all proportion either to their intrinsic value, or to the number of persons by whom they are advocated. Our administrative machinery is so constructed as to give great leverage to individual driving-power. What is called a 'strong' Secretary, backed by partial experience, or total inexperience, intolerant of opposition, and often with singularly slender reasons for the faith that is in him, exalts some disputable administrative dogma into an article of faith, and preaches "*hoc signo vinces*" to an official audience, until the notion has gained enough acceptance to blossom forth into a law. Facts, of course, take their revenge, but in a fashion thoroughly

* *The Bengal Tenancy Act.*—Being Act VIII of 1885. With Notes and Annotations, Judicial Rulings, and the Rules framed by the Local Government and the High Court under the Act for the guidance of Revenue Officers and the Civil Courts. By M. FINUCANE, M.A., C.S., and R. F. RAMPINI, M.A., C.S., Barrister-at-Law. Messrs. Thacker, Spink & Co., Calcutta.

characteristic of India, they take it after the event. It is only when the new engine is set to work, that the checks and balances of Oriental human nature begin to operate. At this point sad surprises await the hasty legislator, People display a shocking indifference to reforming ideas, decline to have themselves, their dwellings, or their drainage improved, and insist upon living their old lives in their old way in spite of the latest addition to the Statute book ;

"Let us alone. What is it that will last ;"

is the answer of the Bengal peasant to the Ulysses of the Legislative Council.

That is one side of the administrative shield,—a side which, as we have said, a bureaucracy cannot afford to disregard, least of all when dealing with measures like Local Self-Government, or schemes of social reform. There is, however, another and a brighter side represented by those cases in which the impulse towards legislation comes from below, not from above, and expresses a real want, not a mere itch for legislative distinction. In such cases the various parts of the administration work more harmoniously. The district officers, who are in touch with native opinion, serve as centres for collecting data and testing conclusions ; the question is dealt with from many points of view, and the whole mass of evidence is finally collated and digested in the Secretariats. The huge series of blue-books treating of the Bengal Tenancy Act, may be appealed to as evidence that the procedure indicated above—the only safe procedure for a bureaucratic government to follow—was, in fact, resorted to in elaborating that measure. The initial impulse was given by the landlords themselves. They set the ball rolling, and everything that followed was nothing but the logical development of that first push. The bitterest critic could find no grounds for hinting that the work was done otherwise than in a most serious and painstaking fashion. By the time the Act came to be passed, a justifiable feeling had set in against doctrinaire legislation, and the various drafts which preceded the final enactment were discussed both in Council and in Select Committee, with a thoroughness worthy of the most important measure passed in Bengal since the group of statutes associated with the Permanent Settlement. All shades of opinion were represented, and the utmost attention was paid to any one who approached the subject with anything resembling a substantial knowledge of facts. So much was this the case, that one is almost inclined to complain that the spirit of compromise was too readily invoked to appease conflicting interests, and that the principles insisted on by the Government of Bengal were unduly toned down in Select Committee. We do not propose to rekindle the

ashes of this controversy. Such discussions must come to an end some time, and it seems more profitable, at the present moment, to enquire what are the leading principles of the Act as it stands, and how they are likely to work.

First, then, we may trace in many sections of the Act a tacit admission, that the theory of rent usually known as Ricardo's cannot be applied without reservation to the conditions of agriculture in Bengal. As I ventured to point out on a former occasion, when the Bill was still before Council, "that theory rests upon two main assumptions, the varying productiveness of land, and the existence of effective competition. The first is nothing more than a statement of a natural law, which any one can verify for himself, *viz.*, that the capacity of different pieces of land to yield a profit to their cultivators, varies almost indefinitely in proportion to their fertility, their cost of cultivation, their means of communication, their nearness to markets, and a number of other considerations which it would be tedious to enumerate. Hence it follows that all classes of land, except that least favourably situated, yield to their occupier a profit over and above the standard rate of profit for agricultural undertakings. The worst land must yield the normal profit, or it would not be cultivated at all; consequently the best and the intermediate qualities must yield more. At this point the second postulate comes in, and determines what is to become of the surplus. Competition among tenants for land secures that no tenant shall get more off his land than the normal profits of his trade. The balance in excess of this will be paid to his landlord as rent. Competition among landlords for tenants, on the other hand, secures that no landlord shall get more from his tenant in the form of rent, than will leave that tenant the normal profit on his labour and capital. What the rent should be in any given case is a question which the theory, as now understood, does not attempt to solve. It depends on the haggling of the persons concerned regarding a variety of intricate data which no theory could be expected to grapple with."

As regards the second postulate—effective competition—it was argued that the case is altogether different. Here we are dealing with no natural law. The question is merely whether a certain set of social conditions, established after centuries of progress in the England of Ricardo's time and our own, exist in Bengal at the present day.

To this I answer, without hesitation, that they do not. It is no doubt the case, that in certain parts of Eastern Bengal effective competition prevails, both between landlords and tenants. An exacting landlord loses his raiyats and is ruined; a fair landlord keeps his, gets more, and prospers. But in

by far the greater part of Bengal proper, and certainly throughout Behar, competition by landlords for tenants does not exist at all, while competition by tenants for land grows fiercer every year. And this competition is all the stronger and more searching, because it operates in a number of small centres—villages, groups of villages, taluks, and the like—in such a way as to give the landlord of each group practically unlimited power to adjust the rate of rent within the group. The power no doubt is exercised in very different ways by different men, and this, amongst other things, has given rise to the extraordinary diversity of rates brought to notice by certain special officers in 1882. But wherever it exists, the only check upon its ultimate exercise is not the ability of the raiyat to make better terms for himself with a neighbouring landlord, but the possibility of his abandoning his holding and sinking to the status of a day labourer, or emigrating to Assam or the Colonies. Experience has shown agricultural emigration from the more crowded to the less crowded districts of Bengal, to be practically beyond the reach of the ordinary cultivator. It is confined to those aboriginal and semi-aboriginal races who have peculiar aptitudes for reclaiming jungle-covered waste. The average cultivator is unfitted, by habit and tradition, to go forth as a pioneer. He can only stay where he is, between the landlord and the deep sea, and wait for the next famine, or, with the so-called assistance of touts and recruiters, go forth to work as a coolie in Assam or the West Indies.

If this sketch of an ordinary cultivator's position is only approximately correct, it follows that one of the main factors of Ricardo's theory—competition among landlords for tenants—is only operative in certain exceptional tracts in Bengal. Those tracts may be more numerous than I have represented them to be, but they make up a very small portion of the area of the province. And as population spreads they are continually growing less, so that we may fairly look forward to the time when they will be subject to the same economic conditions as the rest of Bengal. Those conditions may be summed up by saying that rent is determined by the principle of monopoly. The landlord, being free from competition by men of his own class, and having a complete command of the land in his estate or tenure, is virtually in the same position as a patentee, who may charge what royalty he pleases for the use of his invention. Really, the landlord is far the stronger of the two. People may get on without the invention: they cannot exist without the land. I do not mean to say that this most formidable force has as yet come fully into action. Monopoly is still tempered by custom, and hampered by certain

technicalities of the present law. But the force of custom grows weaker daily with the gradual disintegration of the old *regime* of native society. Population is increasing, caste-traditions are breaking up, and the standard of living of the landlord classes is tending to rise. "Meanwhile, the cultivating classes, for whom, under a system of monopoly, the rent forms no inconsiderable part of the cost of production, are threatened with a constant reduction of their standard of living, leading them to resort to inferior staples of food, and continually diminishing their power of resisting scarcity or famine."

The difficulty arising from the limited applicability of the western principle of Contract to agricultural rents in certain parts of Bengal is solved in the Tenancy Act by enlarging the sphere of the more ancient and perhaps more Oriental principle of Status, or in other words, by attaching to particular classes of tenants such "Rights, Duties, Capacities or Incapacities," as seemed likely to enable them to live and prosper. Legislation on these lines is not exactly a new departure, but the Tenancy Act resorts to it more freely than any previous statute, and it can hardly be doubted that many of the sections which embody this principle will impress the Courts with a sense of novelty, strangeness, and uncertainty. This circumstance in particular, coupled with the every-day difficulty of bringing a new law into real working contact with the people, offers an admirable opening for such an edition of the Tenancy Act as Messrs. Rampini and Finucane have brought out. To justify the ways of the raiyat before the law; to help the Mofussil officer to interpret the jargon of the Legislature, and thus insensibly to bring the tentative utterances of judge-made law into harmony with the complex facts of rural life—these are the main objects of the book before us. The position of the authors adds to the authority of their work. It is as if the twin-brethren of Greek legend had descended into the modern legal arena. On the one side we have Mr. Rampini, a judicial Castor, of wide and varied experience, skilled to tame the wild horses of the Bar; on the other, the executive Pollux,—*πύξ ἀγασθόν*—who wields the iron glove of survey and record-of-rights.

There are ways and ways of making law-books. One method is a tolerably simple one. Scissors, paste, and patience are the chief requisites. But it can only be applied to a law that has been in force for some time; and has got itself overlaid by enough rulings to furnish forth a book. In dealing with an Act like the present, which has introduced a number of new principles, and is as yet untouched by the judges, the average commentator would find himself rather at sea. A different mode of treatment is called for; one requiring, above

all things, the scientific use of the imagination in guessing what the Courts will do with various legislative novelties. This the authors have fully realized, with the result that instead of a mass of undigested cuttings from law reports, they have given us a series of well-considered *responsa prudentum* on the chief sections of the Act.

Before discussing these in detail, it is well to mention the curious flaw in the mechanism of the Act, which rendered it necessary to pass an amending enactment before the original measure had come into force. For some years past, in all Acts which commence on a date to be notified by the Executive, and which depend for their working upon rules, the Government of India have inserted a sort of standard section, enabling the rule-making authority to frame its rules, and invite public criticism on them before the law itself has taken effect. But for this device every rule-worked Act would, so to speak, create a legal vacuum. It would sweep away the existing law and leave nothing in its place. For the new law cannot be administered without the rules which fill in its working details, and these, rightly enough, cannot acquire the force of law without going through a process of publication, criticism, and amendment, which may take several months and which cannot be even commenced without legal authority. The driving wheel is there in the shape of the law itself, but the belting and gear to distribute its force are wanting. This is what happened with the Tenancy Act in respect of the two important processes of deposit of rent and distraint for arrears. But for the passing of a supplemental Act (XX of 1885) maintaining the repealed enactments in force for a certain period, these essential incidents of the agricultural system of Bengal would have been suspended for more than a month, and the collection of rents blocked or seriously impeded just at the time when the main harvest of the year was being gathered in, and the heaviest instalment of land-revenue was about to fall due. The difficulty was readily got over, and the omission is the less to be regretted, as it had the effect of tempering the introduction of the Act to landlords already shorn of some of their privileges. There could, however, hardly be a better illustration of the importance of the journeyman-work of legislation, and of the danger that, when the principles of an important Bill are under debate to the last moment, points vitally affecting its mechanical working are liable to be lost sight of.

An interesting note on the local extent of the Tenancy Act brings out the curious fact, that no less than three full-blown Rent Acts are now in force in different parts of Bengal, besides those peculiar enactments which, while professing to leave most

things to the discretion of the local officers, practically tend, as Sir James Stephen pointed out ten years ago, to turn into law "a mass of executive orders," and thus, in course of time, build up a complicated and uncertain series of precedents, more difficult to interpret and far more barren of principle than ordinary case-law. The Bhutan Dooars and the Mehals of Angul, in Orissa, seem to be peculiarly situated in this respect. The former, of these islands of the blest rejoices in a law which simply excludes existing enactments without putting anything in their place, while the people of Angul dwell apart, like the Cyclopes in the *Odyssey*, in the primitive condition of having no law at all.

While the Tenancy Act is still on its trial in Bengal, it is perhaps premature to discuss at length the question of its extension to Orissa and Chota Nagpore. We may, however, take it as certain that the Act will be extended to Orissa within the next few years, if only to make the machinery of Chapter X available during the settlement of the Province in 1897. For land-revenue purposes, indeed, the extension of the Act might be dispensed with. Regulation VII of 1822, and the other Regulations which supplement its provisions, confer on the Government full power to fix the land-revenue payable by the zemindars. They do not, however, as is pointed out by the editors in their introductory note on Chapter X, enable settlement officers to enhance or reduce the rents paid by the raiyats. They restrict the powers of the Revenue authorities to the assessment of revenue as distinguished from rent, and they proceed on the assumption that rents will adjust themselves from time to time on such a basis, as to admit of a periodical enhancement of the amount taken by the State as land-revenue. The decision, then, as to the extension of the Tenancy Act to Orissa will, in the first instance, turn upon the question, whether in the interests of the land-revenue it will be necessary to enhance the rents of the raiyats. On this point no very accurate data are at present available. Let us suppose, however, for the sake of argument, that the statistical enquiries which usually precede a settlement establish beyond doubt, that the rents of all classes of raiyats in Orissa have reached a level beyond which they cannot fairly be raised. In such a case as this, the regulations would be technically sufficient for the work to be done. But they would leave the raiyat unprotected against the immediate enhancement of rent which the zemindars would naturally attempt to bring about; while if the settlement were conducted under Chapter X of the Tenancy Act, the rents of tenure-holders and occupancy-raiyats could not be raised for fifteen years from the date of the final publication of the record-of-rights. These

circumstances will probably be sufficient in itself to determine the Government to proceed under the Tenancy Act, especially if, in fixing the assessment of Orissa, regard is had to the necessity of getting some return in the form of increased land-revenue for the three millions of capital spent on canals, which do not even pay their working expenses. Here a point may be noticed, which seems to have escaped the notice of the editors. Under section 113, the temporary immunity from enhancement, conferred unconditionally upon tenure-holders and occupancy-raiyats, does not extend to non-occupancy-raiyats unless the settlement is being made under section 112, or unless the landlord applies to have a fair rent fixed under section 104. Now, section 112 is an exceptional provision framed to meet agrarian disturbances, and there would be no justification for its extension to the settlement of Orissa. On the other hand, it is hardly likely that the Orissa landlords will come forward with applications under sections 104. They will probably prefer to put pressure on the raiyat to execute an agreement for enhanced rent under section 46, or to take their chance of getting more out of the Courts under section 46 (6) than they could get out of the settlement officers. In matters of this kind, prophecies as to what people will or not do are of course mostly vanity, but it certainly strikes one that if the landlords should take the line indicated above, the *pāhi* raiyats of Orissa, already assessed as highly as they can bear, will be subjected to a good deal of unnecessary harassment. We may further remark, that it is not altogether easy to see the object of excluding the non-occupancy-raiyat from the benefits of section 112. Surely, when so elaborate a piece of machinery as a big settlement has once been set agoing, it would have been simpler and more convenient to have made its scope as wide as possible, instead of leaving a large class of raiyats to be included or omitted at the option of their landlords.

The reasons which tell for an extension of the Tenancy Act to Orissa are for the most part, inapplicable to Chota Nagore. Most of the large estates in the Division are permanently settled, and in the three districts of Hazaribagh, Lohardagga and Singbhum a special Rent Act is in force, which was drafted by officers of great experience in that part of the country, and in spite of minor blemishes, works well on the whole. There are, moreover, very special grounds for deferring the extension of the Tenancy Act to these districts for some years to come. Leaving out of consideration the district of Singbhum, a wild and backward tract, where law is likely to be at a discount for the next fifty years or so, the districts of Hazaribagh and Lohardagga are afflicted by a pecu-

liar system of land measurement, which reacts upon rents in a manner requiring very delicate handling. On the plateau of Lohardagga and in a large portion of Hazaribagh, land measures, in the ordinary sense of the word, do not exist, as the terms supposed to indicate amounts of land do not correspond to any uniform superficial area. The unit of area is either the quantity of land which is supposed to be capable of receiving a variable amount of seed, or a fraction of the fluctuating cultivated area of the village. As an instance of the result which this system may produce, it may be mentioned that in fifty-two villages, carefully measured some years ago, the average size of the standard unit of area, assessed to a uniform rate of rent, was found to range from 4 to 34 bighas. By the operation of causes, too intricate to be analysed here, the rents of land in the Pergunnahs, where these eccentric measures are in force, have been brought into a state of chaos beyond all description. Rates for identically the same classes of land vary from field to field, from holding to holding, from village to village, and this confusion puts a premium on attempts by the landlords, mostly immigrant speculators from Behar, to extort exorbitant rents by illegal pressure and vexatious litigation. Fortunately for the cultivators the executive authorities have in their hands a remedy which, if wisely applied, will settle the difficulty once for all. A large number of estates, scattered pretty evenly over the two districts, are managed by Government officers, under the Chota Nagpore Estates Act and the Court of Wards. Following the policy accepted for Chota Nagpore by Sir Ashley Eden in 1881, a Settlement-officer has been appointed to measure these estates, to record the rights of all classes, and to fix fair rents under section 24 of the Chota Nagpore Rent Act, which empowers the Deputy Commissioner to "fix such enhanced rent, or otherwise alter or vary the rent * * * as to him may seem fair and reasonable, for such period, not being less than ten nor more than twenty years, as he may think fit."

We may be permitted to hope that this exceptional opportunity of conferring a lasting benefit on the cultivators of an enormous tract of country, will not be thrown away by a pedantic adhesion to preconceived ideas. Everything will depend upon the system adopted in fixing the rates. The existing state of things is so utterly chaotic as to amount virtually to a *tabula rasa* upon which the Government may inscribe pergunnah rates, such as were contemplated by the authors of the Permanent Settlement. The conformation of the country favours this mode of dealing with the question, as the division into pergunnahs, by whomsoever introduced, is essentially a natural one, and is universally recognized by native agriculturists

as corresponding to certain peculiarities of soil and climate. Pergunnah rates, fixed with due consideration for the characteristic differences of the areas under settlement, offer the best prospect of helping the cultivators in the agrarian troubles which will set in as soon as the country is opened up by the Bengal-Nagpore Railway and its feeder roads. We must, however, have the courage of our opinions and put section 24 of Act I of 1879 to the use contemplated by its framers. If an attempt is made to abide by a hard-and-fast formula, and to adjust the rates on any definite relation to the existing rent, we shall merely substitute a chaos of bigha-rates for a chaos of seed-rates, and thereby play into the hands of the land speculators who have already made enormous profits out of the present confusion. For whatever may be the case in Pubna and the few Eastern districts, where comparatively well-to-do raiyats have learned the strength of combination, there is no gainsaying the fact, that the penniless non-Aryan cultivator of Chota Nagpore is no match for a landlord with money, and that the mere threat of litigation is often enough to secure wholesale enhancement. Diversity of rates is the opportunity of the speculator; uniformity within natural limits, the safeguard of the cultivator.

So long as the primitive system sketched above survives, it would manifestly be impolitic to extend the Tenancy Act to the three less advanced districts of Chota Nagpore. In Manbhum the case is different. This district, though technically included in a non-Regulation Province, differs in no essential particulars from an ordinary Regulation district of Western Bengal. In a large portion of the district, pergunnah rates of rent have been fixed, and the cultivators secured from arbitrary exactions. If the Tenancy Act were introduced to-morrow, it would confirm the right of occupancy which local custom accords to every resident raiyat, and which the unfortunate construction placed by the Courts upon Act X of 1859 has not yet broken down; it would strengthen the position of the holders of clearing tenures, and it would promote the construction of works of improvement which the present law tends to discourage by offering no security for an adequate return on the expenditure incurred.

In discussing section 3 (1), the editors are careful to bring out the point, that, "the ordinary rent-law of Bengal as contained in this Act applies to Government estates, as well as to estates managed by the Courts of Wards and ordinary estates." The decision arrived at by the Legislature on this point may doubtless be accepted as final. It would, at any rate, be extremely difficult for any future Government to retrace its steps and to undertake legislation on the lines of the Bengal Act VIII of 1879. For all that, we may venture to express a regret that the spirit

of compromise was strong enough, when the Tenancy Act was passed, to induce the Council to abandon the well-established principle that the State has the sole right to determine the proportion of the produce of every bigha of land to be taken as revenue. If, as Lord Cornwallis held in 1790, the zemindar's claim to a "certain percentage upon the rents of their lands has been admitted, and the rights of Government to fix the amount of those rents at its own discretion has never been denied or 'disputed,' surely where the proprietary interest is merged in the paramount title, the State might, in the interest of the general tax-payer, have been trusted to assess its immemorial dues by the agency of its executive officers.

In their note on section 3 (2) defining proprietor, the editors throw out the suggestion, that the sub-Terai jotedars are proprietors, and their tenants are raiyats. We doubt whether this opinion will commend itself to the Board of Revenue. In the Western Duars of Jalpaiguri and in the Darjeeling Terai, where most of the holdings referred to are situated, Government is the proprietor, and the jotedars consequently are either tenure-holders or raiyats according as they come under the first or second sub-section of section 5. In other words, if they acquired the right to hold their land for the purpose of collecting rents or bringing it under cultivation by establishing tenants on it, they are tenure-holders. If, however, the original purpose of their tenancy was to cultivate land themselves or by members of their family, or by hired servants, or with the aid of partners, they are raiyats. In this case their tenants will be under-raiyats, and cannot acquire occupancy-rights except by custom under section 183. The principle extracted from various decided cases, and now embodied in the law is, that the original purpose with which the tenant was let into cultivation, forms the test by which his subsequent status is to be determined. Applying this test to the case of the Terai jotedars, in what class do they fall? Looking first to the intention of the landlord, we believe the settlement records will show that Government intended to create not tenure-holders, but *raiya*s who should work through hired labour or *metayer* tenants, and thus bring under cultivation large holdings of virgin soil. If this view is correct, the jotedars belong to both of the two classes defined by the Act, and cannot be finally relegated to either. The further question arises, what will be the effect of the hundred-bigha presumption of section 5 (3)? Will the settlement papers suffice to rebut this, and what view will the jotedars take of their own interest in the matter? The problem is a pretty one and will demand careful consideration, before the Tenancy Act is extended to that part of the country.

Under section 3 (10) defining "village," it is stated that "Revenue-survey maps have been prepared for all the territories subject to the Lieutenant-Government of Bengal, except the Chittagong Hill Tracts, and the Daminikoh Tracts in the Santal Parganas." There seems to be some misunderstanding here. The Hazaribagh District, for example, was surveyed by the Revenue Survey under Captain Hunter Thomson between 1858 and 1863; but the survey was condemned as inaccurate, and the whole area was again surveyed topographically between 1870 and 1873. This second survey merely aimed at delineating the physical features of the country, and did not determine village boundaries. In Lohardugga the sub-division of Palamau was surveyed by the Revenue Survey between 1862 and 1866; but the rest of the district, comprising an area of 7,784 square miles, was only surveyed topographically. So, also, in a large portion of Manbhum either no Revenue survey was made, or its results were found to be faulty. To this extent the statement contained in the note appears to be incorrect.

Under the head of "agricultural year," section 3 (11), it may be added for the sake of completeness, that in parts of Lohardagga and Hazaribagh, the Sambat year, commencing 57 B. C., is in force.

In discussing section 3 (18), which defines the term registered, the editors observe:—

"It would appear that a registering officer cannot refuse 'to admit to registration a contract made between a landlord and a tenant, purporting to bar in perpetuity the acquisition of an occupancy-right, or contravening in any other way the provisions of sections 178 and 179 of the Act, though such contract would be illegal and invalid.' They go on to notice, as a curious fact, that a sub-lease for more than nine years is the only instance in which registration may be refused on the ground of the illegality of the document. On this it may be remarked first, that the reference to section 179 is clearly an oversight, as that section merely saves the right of proprietors to grant permanent leases, and extends that right to the holders of permanent tenures. The limitation of the right to refuse registration to the case of a sub-lease executed by a raiyat in contravention of section 85 (2), appears to be imposed in the interests of tenants. For, in a certain proportion of the cases contemplated in section 178, the illegal provision, whatever its nature, would form part of a contract admitting the tenant to occupation or continuing his tenancy, and it would clearly be inconvenient and frequently unjust to the tenant to refuse registration of the document, because it happened to contain a single illegal clause.

Chapter III, dealing with the important subject of tenure-holders, has been very fully examined, and it would be difficult to add much to the notes. One slight omission may be noticed in the note on section 6. The editors say, "The provisions of the present section are the same as those of section 51, Regulation VIII of 1793, with the exception of a slight change in the wording of clause (b) necessitated by the fact that the enhancement and reduction of rent, owing to increase and decrease of area, are provided for by a subsequent section." It would perhaps have been well also to point out that the words "by local custom" have been substituted for "by the special custom of the district" in section 51 of the Regulation. We do not pretend to say that the alteration is material, and that a tenure not enhanceable "by the special custom of the district" would be enhanceable by "local custom." And in any case the danger so frequent in India, that a re-adjustment of boundaries undertaken on grounds of administrative convenience may, in some left-handed fashion, bring about an alteration of the substantive law of a locality, is of itself a sound reason for eliminating from the land or term the meaning of which is liable to variation. But in an old standing section of this kind, which has formed the battle ground for many hotly-contested cases, and has been overgrown with numerous rulings, a writer of text-books errs on the safe side by noting the minutest change; while an ordinary reader may be excused for thinking that "local custom" sounds more general than the phrase "special custom of the district."

To appreciate the full importance of Chapter III of the Act, we must look somewhat below the surface of the existing zemindari system. Estates in remote and backward districts still furnish examples of a state of things, which at one time must have prevailed over the greater part of Bengal. We see there how a weak-minded and illiterate zemindar, demoralized by zenana influences, gathers round him an army of sycophants, whose chief ambition it is to pick up substantial tenures in return for services often not unworthy of record in an Oriental version of the Contes Drolatiques. The Brahman who maintains the Raja's standard of ceremonial orthodoxy, the Káyasth who writes up the bewildering pile of *lawásina* papers, the up-country Rajput or Babhan who goes forth with a big *lāthi* to levy a cess or coerce a troublesome tenant, the Kahár who brings the Raja water and shampoos his feet, and that invaluable gossip and scandal-monger the barber—these are the men who found families and grow fat upon the spoils of the Raj. The great Rámghar and Pachete estates abound with *brahmottar* and *jágir* tenures created as rewards for personal services of various kinds, while Hajjámí tenures are common everywhere. Even

in estates under European management, instances of the reckless creation of tenures are not wanting. One of the most valuable *paini* tenures in Bengal, which has been in European hands since the beginning of the century, and has contributed in no small degree to the prosperity of a well-known firm, is full of permanent tenures held by the descendants of the up-country *lúthiáls* imported in more turbulent times to protect the factory and popularize the cultivation of indigo. Free-handed managers of the last generation, men of little law and less foresight, sowed this crop of dragon's teeth for the discomfiture of their successors, who have not hitherto prospered greatly in their attempts to raise the nominal rents of their tenants through the agency of the Courts. Notices of enhancement under Regulation VIII were difficult to frame in proper form and even more difficult to serve; there was no settled measure of enhancement, and the liability of the tenants to pay increased rent for land held by them in addition to the original area of their grants, was vigorously contested. The campaign will now be continued under the Tenancy Act, and will be watched with interest by the numerous landholders in Bengal, who are anxious to take back the gifts given by their ancestors. On the whole, the Act appears to tell in favour of the landlord. The impracticable notice has been dispensed with; and the measure of enhancement may be either the customary rate paid by the holders of similar tenures in the vicinity, or the amount deemed fair and equitable by the Court, subject in the latter case to the condition that the tenure-holder is to get a minimum profit of ten per cent. on the net collections. The proviso will be small comfort to a man whose original grant has expanded into a whole village, while his rent has remained stationary, and who is rich enough to ride on his own elephant when he comes to pay his rent. Last and most important of all, section 52 provides that every tenant shall be liable to pay additional rent for all land proved by measurement to be in excess of the area for which rent has been previously paid. In working these rules much, of course, will depend upon the interpretation placed by the Courts on that convenient phrase "fair and equitable" in which the Legislature takes refuge when confronted with a problem which no formula will avail to solve; but the history of previous litigation between zemindars and their tenure-holders seems to justify the conjecture that Chapter III of the Tenancy Act will materially strengthen the position and augment the rental of the former at the expense of the latter. Considering the conditions under which so many tenures were created, we are not prepared to say that the result foreshadowed is one to be greatly regretted.

If the importance of a group of legal provisions may be measured by the range they cover, the number of interests they affect, and the possibilities of litigation they open up, Chapter V of the Tenancy Act may fairly rank among the most noteworthy achievements of the Legislature since the beginning of the present century. Agreement as to its merits is of course out of the question. One school of thinkers will condemn the Chapter as a sweeping act of confiscation; another will mourn over it as a weak-kneed surrender of the rights of the cultivators; a third, perhaps more reasonably, will regard it as the utmost that could be done at the present time of day to redeem the pledges given to the raiyats by the authors of the Permanent Settlement, and to restore the ancient and customary law of the country under which all raiyats, except palpable nomads, were held to have a right of occupancy in their holdings so long as they paid the standard rate of rent. Traces of this common law still survive in remote parts of Bengal where old custom and tradition have resisted the insensible influence of the statutory limitation introduced by Act X; and it is this state of things which the new law will tend to re-establish.

The editors have wisely refrained from attempting to forecast the working of section 20 on a large scale. They notice the importance of the changes in the law and explain that the provision "giving raiyats rights of occupancy, provided they have held any land in the village for twelve years, has been introduced to prevent zemindars from debarring their raiyats from acquiring rights of occupancy by shifting them so as not to allow them to occupy the same land for the full period of twelve years." On the presumption introduced by sub-section (7), they remark:—"It has been inserted in the Act in consideration of the great practical difficulty experienced by raiyats in proving their occupancy-rights, owing to the general non-interchange of pottahs and kabuliyats under the present law." Noting the condensed and somewhat awkward expression "general non-interchange" as open to improvement, we may add that, in some parts of the country, the relation of landlord and tenant is created by solemnly delivering to the raiyat a clod or lump of earth (*goti* or *dhela-pattó*), a form of transfer which takes us back to legal symbolism of the most primitive type, but has certain disadvantages as a record of a disputed transaction. Pottahs, kabuliyats, receipts, lawázima papers, all these are unknown, and a Raja of our acquaintance met with some difficulty in effecting a usufructuary mortgage of his estate, because he was unable to produce to the would-be mortgagee any zemindari accounts showing what the annual collections might be expected to amount to. Even where receipts are

supposed to be regularly given, the system of collection is so irregular, the mode of attestation so uncertain, and the paper in use so flimsy, that a raiyat whose family has been in possession for generations, may have difficulty in establishing twelve years' occupancy from a bundle of dirty scraps of paper of all shapes, sizes, and colours, signed by a number of different gomashtras, each of whom perhaps only held office for a few months. No one who has had to adjudicate on evidence of this kind, can question the justice of the presumption now introduced. Its effect no doubt will be to secure the large majority of raiyats throughout Bengal in the undisturbed enjoyment of occupancy-rights. In dealing with the rules of enhancement, we shall see what counterbalancing advantages have been conferred upon the landlords.

In their note on section 21, the editors point out that section 178 prevents a raiyat from contracting himself out of the status the law has conferred upon him, and they add, "but it would appear that the object of these restrictions may be defeated owing to the provision in sub-section 7 of the preceding section, under which, in a proceeding under this Act, a raiyat may admit that he has not for twelve years held any part of his land as a raiyat, and if he does so, the Court or Revenue-officer before whom he makes this admission would appear to be bound to accept it as correct. In other words, the raiyat may admit he is not a settled raiyat, and his admission must be accepted even though it be contrary to the real facts of the case." Here, it seems to us, the critical tact of the editors is somewhat at fault, and the danger apprehended by them wholly imaginary. Let us see how matters stand. Sub-section (7) of section 20 runs as follows:—

"If, in any proceeding under this Act, it is proved or admitted that any person holds land as a raiyat, it shall, as between him and the landlord, under whom he holds the land, be presumed for the purposes of this section, until the contrary is proved *or admitted*, that he has for twelve years continually held that land or some part of it as a raiyat."

Now, any proceeding under this sub-section must be either a regular suit before a Civil Court or a proceeding before a Revenue-officer under Chapter X of the Act. It is not our experience of civil litigation that any class of persons are unduly eager to fool away their rights by gratuitous admissions in Court. Out of Court, indeed, if taken unawares, and pressed on matters the bearings of which he does not exactly understand, the raiyat may sometimes be brought to make admissions not altogether to his advantage. The *sharh-namas* or specifications of rent-rates in some Behar estates, and certain proceedings in Mymensingh, are instances of what we mean. But quite as

often, even when he stands alone, the raiyat takes refuge in a stolid refusal to make any statement at all—an attitude which experience has taught him is a tolerably safe one. Once in Court, his mukhtiar may be trusted to look after him, while the presiding officer will usually have sufficient control over the case to secure that persons who make important admissions shall at least know the consequences of what they say. That hard worked and painstaking official, the Mofussil Munsif, "*Pannosus vacuis Adilis Ulubris*" is anything but a *roi fainéant* in his own Court. He gets very little assistance from his meagre Bar, and if he wishes to avoid remands, has to watch his cases carefully, and conduct a great part of the examination of witnesses himself. In his hands the raiyat is perfectly safe.

So far as to admissions made in Court. The only other admissions to be considered are admissions made before a Revenue-officer under Chapter X. On this point Rule 23 of the rules made by the Bengal Government for the working of the Act lays down the following procedure for the guidance of Revenue-officers engaged in making a record-of-rights:—

"The Revenue-officer shall ascertain what raiyats are non-occupancy (*sic*), and to this end he shall be entitled to call upon the landlord or his agent to produce a statement, showing the names of the raiyats alleged by him to be non-occupancy-raiyats. On production of such statement, the Revenue-officer shall explain to the raiyats whose names are entered in the statement, and who have not already been recorded as occupancy or settled raiyats the nature of the presumption raised by section 20 (7). If after such explanation, a raiyat admits himself to be a non-occupancy-raiyat, he shall be recorded as such. If he does not admit himself to be a non-occupancy-raiyat, the Revenue-officer shall call on the landlord to prove the allegation made by him in regard to such raiyat."

In the face of the elaborate safeguards interposed by the practice of the Courts on the one hand, and the positive rule of the Executive on the other, we submit that the passage quoted above from the note on section 20 (7) is wanting in the balance and breadth of view for which the book is elsewhere conspicuous. It states the case incompletely, and appears to imply that the law is defective on this point, and that all the precautions taken to strengthen the raiyat's position are likely to be defeated by his own admissions.

In examining the provisions which deal with the enhancement of rent, it is well to have a clear conception of the standard by which the attempts of the Legislature to solve a difficult problem may fairly be judged. No one, we suppose, expects the Council to have discovered what Mr. Bonamy Price calls

"a beautiful theory of science, which could shed illumination over each and every settlement of the complicated inquiry, what the rent of a farm shall be." Such a theory has been the dream of economists for years past, but has not yet emerged into the world of waking realities. All essays in that direction, including a most elaborate one propounded by an eminent Behar official in 1884, have broken down when applied to concrete cases, either because the data which they demanded could not be ascertained, or because the very simplicity and symmetry, to which their charm was due, were attained by ignoring those elements of rent which would not square with the theory. Be this as it may, the facts have so far made short work of the formulas, and no one would ask the Council to go on rolling cheeses down the hill. What we may fairly expect, however, is that the directions given to the Courts prescribing the method to be followed in dealing with the question shall be free from ambiguity, practically workable, and consistent with other portions of the Act.

Tried by this test, we find that, according to Messrs. Finucane and Rampini, the rule for enhancement by prevailing rates stated in sections 30 and 31 is ambiguous in so far as it does not settle whether the prevailing rate is to be (a) an average of the rent paid for particular classes of land; (b) the rent paid by a majority of the raiyats who hold such lands. If the former solution is correct, the phrase "prevailing rate" is a contradiction in terms, as a rent which no one pays can scarcely be said to prevail. There is also the objection, pointed out by the editors, that successive suits judiciously conducted will gradually raise the average up to the maximum rate actually paid. If the second alternative is preferred, we are landed in the further difficulty of having to determine what is meant by a majority of the raiyats. On the whole, we prefer the latter interpretation as being both more consonant with facts, and more likely to work towards what we regard as the true object to be kept in view, the stereotyping of rates for particular classes of soils. Anyhow it makes less strongly for the unrighteous system of levelling up than the method of averages.

In the second ground of enhancement, that there has been a rise in the average prices of staple food-corps (sections 30 and 32), the editors also find an ambiguity likely to give some trouble to the Courts. They say, "It is, however, an open question whether the Court is bound to take two decennial periods *during the currency of the rent* for comparison, or whether it can take for the purpose a period anterior to the currency of the present rent." The question is a difficult one, and it is only from the stand-point of the "irresponsible indolent reviewer," that we venture to propound

any answer at all. Section 30 lays down that a landlord may sue to enhance the rent of an occupancy-raiyat on the ground "that there has been a rise in the average local prices of staple food-crops during the currency of the present rent." Reading this as it stands, it appears to us to raise the two following issues :—

(i) During what period has the present rent been current ?

(ii) *During that period*, has there been a rise in the average local prices of staple food-crops ?

The burthen of proving both issues would rest upon the landlord who sued for enhancement. If he failed to establish the second, that is to say, if prices had been stationary during the currency of the existing rent, his suit would fail so far as that ground of enhancement was concerned, and no question as to the application of section 32 would arise. In other words, in order to bring in section 32 with its comparison of periods and proportional adjustments of rent, it is first necessary to prove that prices have risen *during the currency of the present rent*. Supposing this to be proved, what comes next ? How is section 32 to be worked ? Let us take the following illustration, which is merely an expanded version of the example suggested by the editors at pp. 66-67 :—

Years of tenancy.		Average price of rice per md.	Rent per bigha of holding.
	1830-40	Rs. 1 0	Re. 1
	1840-50	Rs. 1 2	Rs. 2
	1850-60	„ 1 4	„ 3
	1860-70	„ 1 6	„
Currency of present rent.	1870-75	„ 1 8	6
	1875-85	„ 1 12	

It will be seen that, as in the case stated by the editors, "prices have risen since the period 1830-40 by 75 per cent. while rents have risen 500 per cent." The landlord sues in 1886 for enhancement on the ground of a rise in prices. He proves by Gazettes, commercial price-lists, or mahajans' books, that the average price of rice has risen from Rs. 1-8 to 1-12 between 1870 and 1885, the period of the currency of the present rent. Having thus brought in section 32, he asks the Court to compare the average prices during 1875-85—the decennial period immediately preceding the institution of the suit, with the average prices

during the decennial period 1830-40, and to decree an enhanced rent of Rs. 9 on this basis. Prices have risen 75 per cent., but one-third of this must be deducted under section 32 (b), to allow for the greater ratio in which cost of production has risen ; consequently the rent can only be raised by 50 per cent. Now we ask in terms of section 32, is it equitable or practicable for the Court to take the period 1830-40 for comparison ? Practicable it may be, if evidence is forthcoming to show what the average price was at that time. Equitable, we submit, it is not. For each successive rise of price which has taken place during the five and thirty years under consideration, has been followed by a more than corresponding increase of rent, so that to make the proportion of the latest price to the earliest price the measure of enhancement, and then to apply that proportion to the latest rent, is simply to enhance several times over. The same objection applies in a less degree to any other period outside the currency of the existing rent. It seems to us then, that in the case supposed, the Court must fall back upon section 32 (c), which allows the substitution of shorter periods, must compare the decennial period 1875-85 with the quinquennial period 1870-75, and must decree an enhanced rent of Rs. 6-10-8 instead of Rs. 9. If we are correct in holding that the Courts cannot travel outside the currency of the existing rent, there will be a double difficulty in getting decennial periods for the purpose of comparing prices, first, as the editors point out, that raiyats' rents are ordinarily enhanceable after fifteen years ; secondly, that if, in order to bring in two *decennial* periods, the landlord admits that the existing rent has been current for twenty years, he will thereby raise the presumption affirmed in section 50 (2) that the raiyat has held at that rent or rate of rent since the time of the Permanent Settlement. We may be permitted to hope that action will be taken under the proviso to section 50 to wipe out a presumption.

The reading of sections 30 and 32 suggested above differs in some respects from that propounded by the editors. Their view appears to be that in the case stated, "the Courts should refuse to decree any further enhancement of rent till the rise in prices become proportional to the rise in rents which has already taken place." But will prices ever overtake rents in the manner supposed ? Or, will the peculiar incident in the price of staple food-grains, possibly perceived by Adam Smith, and clearly stated by Professor Cairnes, assert itself in India ? In other words, will the advance in the price of the staple food, after attaining a certain elevation, react upon population, and checking the demand, arrest the extension of cultivation and by consequence the advance of normal price ? The

question is not one to be answered here, but the result indicated, should it ever come to pass, will at least provide the landlords with matter for reflection on the ἐχθρῶν ἄδωρα δῶρα proffered to them in the sections we have been considering.

The editors have been sparing of comment on section 39 of the Act, which provides for the preparation of price-lists of staple food-crops. It is, we think, to be regretted that "the Local Government has determined for the present not to prepare price-lists for past times owing to the absence of necessary data." This line of action is open to misconception as withholding from the landlords the means of taking advantage of sections 30 and 32; and it may even operate to the detriment of tenants by leading the Courts to adjudicate upon less trustworthy evidence than a Collector with a thorough knowledge of the resources of his district might be in a position to supply. We take leave, moreover, to doubt whether the absence of necessary data may not have been exaggerated. Our impression is that the books of *mahajans* in places like Chetla Hât, Ranegunge, Ghattal, &c., might be made to yield a fairly accurate record of prices for past years, though the process of compiling it would be complicated by the *mahajani* handwriting which looks so easy and is so difficult to read. Probably small local Committees would be the best agency for working the question out, but much tact would be required in selecting the members, and their conclusions would have to be tested by careful comparison with the existing sub-divisional price-lists.

The wording of section 39 (7) may be noticed as curious. It requires the Local Government to "make rules for determining what are to be deemed staple food-crops in any local area." This reads as if the Legislature had been under the impression, that the Local Government could evolve from its inner consciousness some mechanical formula to meet the point in question. No such formula, however, was forthcoming, and the obvious device of laying down that the crop most extensively grown in any local area should be deemed the staple food-crop for that area, was open to the objection that no one can say with statistical certainty what crop is most extensively grown in some local areas. In a place like Diamond Harbour, indeed, a *nazar paimâish*, or general look round, is enough to satisfy any one that the staple crop can only be rice. But in many parts of Behar the problem is by no means so simple. Solved it has been, in a sort of way, by the rules under section 39, of which we can say little more than that they make the best of an ambiguous delegation of authority, and that the question of their validity must be left to the Courts.

Before leaving the section, we may draw attention to the fact that the rules under it make no express provision for reducing to any regular standard, the indefinitely varying measures of weight and capacity current in local bazars. The point seems to have been left to the Board of Revenue or to the discretion of the "gazetted officer, not below the rank of a Sub-Deputy Collector," who is charged with the preparation of the lists. It is, however, only part of a larger question, in connexion with which we venture to hope that the working of this portion of the Act may indirectly draw attention to the necessity of action being taken, either under the Act of 1871 or by fresh legislation, to promote the adoption of uniform weights and measures of capacity in India. That such weights and measures should be authoritatively prescribed by Government, and their use stringently enforced, is entirely in accordance with the feelings of the people themselves, and some such state of things seems to have been contemplated by the framers of the Penal Code.

In connexion with the chapter on under-raiyats, it will be convenient to draw attention to certain obscure points in the Act noticed by the editors. In the first place, the interest of an under-raiyat is nowhere defined in the Act. The definition of "holding" is limited to a parcel or parcels of land held by a raiyat, while it goes without saying that an under-raiyat is not a tenure holder. Consequently the unfortunate under-raiyat is left, so to speak, in the clouds, and the uncertainty of his position makes it doubtful whether, in spite of section 89, an under-raiyat may not be ejected by his landlord without resorting to the Courts. This, however, can hardly have been the intention of the framers of the Act.

Next there seems to be some confusion about the expression "lawfully payable," when applied to the rent of an under-raiyat. Rent is defined in section 3 (5) as whatever is lawfully payable for the use of land. Section 48 lays down that the landlord of an under-raiyat shall not recover rent exceeding the rent which he himself pays by more than 50 per cent. when the under-raiyat holds under a registered lease or by more than twenty-five per cent. when he does not. Section 75, again, permits every tenant, including an under-raiyat, to sue for a penalty when his landlord exacts from him any sum in excess of the rent *lawfully payable*. In their notes on these sections, the editors distinguish between "lawfully payable" and "lawfully recoverable," and state as a probable conclusion, that a raiyat-landlord, collecting from his under-raiyat an amount in excess of the limits laid down in section 48, will not necessarily render himself liable to the penalty provided in section 75.

This is a most comfortable doctrine, and we hope it may turn out to be sound. To make it complete, it requires to

be supplemented by some explanation of what the words "lawfully payable" in section 75 actually mean. The note merely tells us what they do not mean. Perhaps we may hazard the conjecture, that "lawfully payable," in the case under discussion, would mean the rent the under-raiyat had agreed to pay irrespective of the limit fixed by section 48.

A similar difficulty may arise, when a record-of-rights is being made under Chapter X of the Act, whenever the rent, which an under-raiyat has agreed to pay to his raiyat-landlord exceeds the limit laid down by section 48. The point to be determined is, which rent shall be recorded under section 101—the rent which the under-raiyat has agreed to pay, or the rent which his landlord is entitled to recover by suit. It seems to us that the answer to this may depend upon the relative status of the parties. In parts of Behar where the system of *kartaoli* leases prevail, the under-raiyat will be a planter who takes the land from the raiyat for the purpose of growing indigo, and is probably not anxious to haggle over the rent. He can fairly be left to take care of himself, and whatever rent he has agreed to pay may be properly recorded as the rent payable. But it is by no means clear that the case of a *Kurfa prajá* in Bengal should be treated on the same lines. Here the under-raiyat is usually much in his landlord's power, and it seems to be consistent with the spirit of the law, that Revenue-officers should take the opportunity furnished by proceedings under Chapter X of putting things on a better footing, either by refusing to record as *payable* anything in excess of what is *recoverable*, or by explaining to the *Kurfa* tenant his own rights and his landlord's disabilities under section 48.

The provisions regarding improvements are new to Bengal, and conjectures as to their operation must be for the most part futile. So far, however, as our experience of the subject enables us to judge, they strike us as wisely framed and likely to be beneficial to both landlords and tenants. Something of the kind has been greatly wanted for many years past. In Western Bengal nothing is more striking than the effect the growth of the legal spirit has had in checking the construction of works of improvement. In a land of rapid surface drainage, where cultivation is peculiarly dependent upon the artificial storage of a rather scanty rainfall, you may go from village to village and find almost everywhere old irrigation reservoirs falling into disrepair, and favourable localities for the construction of new ones neglected. The landlords fight shy of granting the *jalsásan* or *áhriát* sanads essential to the security of an improving tenant, while they have neither the capital nor the enterprise to undertake such works themselves. Here and there European landlords have come forward, and have found it

possible to make arrangements satisfactory to their tenants and profitable to themselves; and something has been done by District Officers in Wards and Encumbered Estates, hampered though they have been by the bonds of an over-centralized system of administration and the criticism of captious Departments. But, on the whole, the fact remains that some fifty or sixty years ago works of agricultural improvement were much more freely undertaken than they are now; and it seems worth while to consider whether something cannot be done to bring back the golden age of the builders of *bānahs*.

In their note* on section 90 (1)—landlord's right to measure land—the editors notice what looks like a flaw in the wording of the section. The words "other than land exempt from the payment of revenue" seem capable of being read so as to debar the owner of a revenue-free estate from measuring it. This was clearly not intended, and we may hope that the Courts will find an appropriate mode of getting over the difficulty. An interesting note on section 92 contains some information on local standards of measurement which might be greatly expanded, but which is sufficient for the purposes of a commentary. Local enquiries are, we believe, now being made by District Officers, which will place Government in a position to deal with the matter thoroughly under section 92 (3). We may hope that the reports will be published as the subject is a curious one, and throws some light upon early custom. Take for instance the following:—"nominally the *hāth* is a cubit of eighteen inches, but in practice its length is determined by the length of a particular individual's forearm; so that it is not uncommon in Behar to find a landlord and tenant disputing at the very outset of a measurement over the selection of the individual whose arm is to be taken as the standard *hāth*." In England, in 1101, a similar dispute was summarily settled by Henry the First, who fixed the length of his own arm, from the shoulder to the tip of the middle finger, as the standard yard. The editors do not mention a singular development of the Behar mode of ascertaining the *hāth*, which we have seen put in practice ourselves. Having selected your standard man, you proceed to measure the length from the point of his elbow to each of his four fingers. The average of these measurements is the standard *hāth*. Some people say you should also measure to the tip of the thumb and include that length in the average, but the soundness of this doctrine is open to question, and the better opinion inclines to condemn it as a gloss of a zemindari commentator.

* The note on section 80 contains a misprint. Section 76, not section 96, gives the definition of improvement.

A old German solution of the same problem is worth quoting :—" Take sixteen men, small and big, at random just as they come out of Church, and make them put their shoes down in a continuous line ; the length of this line must needs give you a standard pole to measure fields with." *

We have little to add to the excellent commentary on Chapter X of the Act—record-of-rights and settlement of rents. On this branch of the subject the editors are entitled to speak with authority, as both of them were members of the Committee appointed in October last to consider the rules under the Act, and the Director of the Agricultural Department is *ex-officio* in charge of the experimental survey now going on in Mozufferpore. It is, therefore, with especial diffidence that we venture to question the reading of the law set forth in the following extract from the note on section 104 (2) " . . . it follows that where a settlement of land-revenue is being made in respect of any local area, the rents of all occupancy-raiyats must be fixed in that area for fifteen years, and those of all non-occupancy-raiyats for five years." No doubt it is the case that, where a settlement of revenue is being made, section 104 requires the Revenue-officer in charge to settle a fair and equitable rent in respect of the land held by all *tenants*—a term which includes non-occupancy-raiyats. But, as we pointed out above in discussing the possible extension of the Act to Orissa, the prohibition of further enhancement contained in section 113 only takes effect in the case of non-occupancy-raiyats, *if the rent is settled under section 112 or on the application of the landlord*. To this extent, we submit, the note quoted above, requires revision.

For an explanation of what is meant by the words "when it appears that a tenant is holding land in excess of, or less than, that for which he is paying rent," we are referred, in the note on section 104, to the note on section 52 (2). The reference should also be to the note on section 92, page 148, where the same question is discussed. Our own experience leads us to believe that every measurement made on an accurate system tends to show that most tenants hold a larger area of land than they pay rent for. Whether in any case the excess furnishes grounds for raising the rent is a question which will have to be determined by the Revenue-officer on the principles expounded in the notes we have referred to.

It will be interesting to see to what extent landlords and tenants take advantage of sections 101 and 104 which provide

* Köbel, Geometrey, Frankfurt, 1584.

for applications to Revenue-officers to make a survey and record-of-rights. The Rent Commission hoped great things from the somewhat similar procedure devised by them for this purpose, and the experience of some districts tells strongly in favour of this view. An important element in the question will be the cost of the proceedings, particularly of the mechanical process of survey. Unless they can be made very much cheaper and more expeditious than civil litigation, we imagine people will prefer the agency of the Courts. The changes and chances of civil strife appeal directly to that spirit of gambling which, as Sir George Campbell remarked some years ago, is so prominent to any one who watches the course of litigation in Bengal. Still, if the Mozufferpore survey sets an example of cheapness and efficiency, we may hope that many of the great rent disputes which at present disturb the peace of the country, will come to be settled on a large scale and on broad principles by Revenue-officers, instead of being dragged piece-meal through the Courts.

To simplify the discussion of Chapter XI, which deals with the important subject of Proprietors' Private Lands, we offer the following analysis of its provisions :—

Agricultural land may be divided into	A. Cultivated land, including fallow which may be	I <i>Khamar</i> II <i>Raiyati</i>	(a) By proof of cultivation as <i>Khamar</i> for 12 years before passing of Act. (b) By village usage (c) By being specifically let as <i>Khamar</i> before and March 1893.
			(a) In possession of raiyats. (b) Lapsed and in possession of Proprietors.
Land may be adjudged as <i>Khamar</i>	B. Cultivable waste which when culti- vated, may become	III. <i>Khamar</i> by local custom under Sec. 120 (2). IV. <i>Raiyati</i> , failing any custom to make it <i>Khamar</i> .	(a) By a Revenue officer acting under a Government order to survey and record <i>Khamar</i> lands in a specified local area. (b) By a Revenue officer acting on the application of the Proprietor or tenant of any particular land, subject to rules made by the Local Governments. (c) By a Civil Court before which a question arises as to whether land is or is not a Proprietor's private land.

The analysis fails adequately to express the somewhat obscure provisions of Section 120 (2). Taking it, however, as it stands, we may conclude that evidence of twelve years' continuous cultivation will be required to prove land to be *khamar* under I (a). An example of cultivated land recognized as *khamar* by village usage, may be found in the *mán* lands of Western Bengal. The term *mán* denotes a certain area of land set apart in every village for the *khús* cultivation of the farmer or village headman. In these lands occupancy-rights do not accrue. In the case of villages let in farm, the theory is that the entire collections from land under cultivation when the lease is granted are paid to the proprietor, and that the farmer makes his profit by cultivating or letting the *mán* lands, and from the rent of land brought under cultivation during the currency of the lease. Practically of course a farmer gets more than this, and

a *bond fide* village headman (*mánjhi*, *pradhán*, *mandal*, etc.), a good deal more. On a change of farmer or headman, the incoming lessee takes the *mán* lands, and if the village is held *khás*, the zemindar either cultivates them by his own servants, or, more commonly, puts in a raiyat, who can acquire no adverse rights, and must give up the lands to the *ijáradár* in the event of the village being let in farm. As to lapsed raiyati land, class II (*b*), it is important to observe that, although the proprietor may cultivate it himself, he cannot, by any length of cultivation, convert it into legal *Khámár*. In the case of waste land, there exists, we believe, in some districts a local custom under which waste land brought under cultivation by the proprietor, is thereafter regarded as *Khámár*; but the working of the custom is not very clear, and will probably require to be precisely defined by the Courts. All waste land let to a raiyat for the purpose of being brought under cultivation, would, of course, be raiyati. So also, failing local custom, or a contract under Section 178, would waste land, reclaimed by a landlord, and subsequently let to a raiyat. Section 120 (2) has the note of uncertainty and hesitation as to facts, and the editors have done wisely to let it alone. It will probably give trouble to the Courts.

It will be observed that the entire chapter proceeds upon the theory that the quantity of proprietors' private land is limited and definable, and that three modes of procedure are relied upon to define it. How long the process of definition will take, and whether it will ever be completed, does not appear. Financial considerations will, we may suppose, deter the Government from indulging very largely in orders for surveys of private lands under Section 117, as that section makes no provision for recovering the cost of the proceedings from the persons for whose benefit they are undertaken. Here the question arises whether, if Government under Section 101 (1), orders a survey and record of rights to be made of a local area, and adds to the particulars to be recorded in the survey, "the situation, quantity and boundaries of proprietors' private lands as defined in Chapter XI of the Act," will that order enable them to recover under Section 114 the expenses incurred in recording the *private lands*? In other words, must the "other particulars" imported into the order under Section 102 be *ejusdem generis* with the particulars shown in that Section, and if so, are particulars as to private lands *ejusdem generis* with the other particulars or not? If so, the terms of Section 102 would apparently be wide enough to admit of an order being made under Section 101 for what would practically amount to a survey and record of private lands only. It seems curious that the Act should have been so loosely drawn, as to empower the Government to do

substantially the same thing under two different Sections, one of which, while containing no express reference to private lands, nevertheless enable the costs of recording them to be recovered from their owners, while the other, though expressly dealing with the survey and record of private lands, says nothing about the cost of the proceedings, and is followed by a section providing that, under certain circumstances, that cost shall be met by the proprietor. We may further ask whether, when an order including particulars as to private land has been made under Section 101, it does not require to be supplemented by an order under Section 117? In whatever way these questions may be answered, the editors' notes on sections 117 and 118 appear to fall short of ideal accuracy. In the note to the former section they say—

“Two alternative methods of procedure are provided for the determination of private lands:—

(1) that of survey and registration of such land by a Revenue-officer, by order of the Local Government under this section (117.)

(2) that of enquiry on the application of the landlord or tenant under the next section.

In the note on section 118, they remark—

“Under Section 107 (101?) the Local Government may “make an order, directing a Revenue-officer, when proceeding “under Chapter X of this Act, to make a record of *khámár* “lands.” * * *

If the view expressed in the note last quoted is correct, there are three procedures, not two, for the determination of private lands, and one of these has the important peculiarity that it enables Government to recover the cost of the process.

Passing over the new procedure for distraint as *omne ignotum*, we find the editors remarking on section 149: “This is an important modification of the law, made for the purpose of facilitating the recovery of arrears of rent, and of preventing landlords being harassed by their tenants, by unduly protracting suits, by frivolous pleas as to the rent being due to third persons.”

To this note the writer of a brief critique in the *Englishman* takes exception on the following grounds:—

“Now the law is silent as to the procedure to be adopted, should the third person institute a suit against the plaintiff under this section: and the notes throw no light on this difficult question. It is, however, a well-known fact that, when tenants plead the title of a third person, it is always at his instigation and with his support. So far from being a protection to the original plaintiff, this section will afford, to unscrupulous

third persons, the means of adding to the former's difficulties : for, by instituting a title-suit and carrying it up to the highest tribunal on appeal, such interveners can retard almost indefinitely the payment of the amount deposited by the original defendant. In this case, therefore, the authors make no attempt at elucidating the real difficulty arising from the deplorably lax wording of the Act, and content themselves with reproducing the unfounded and entirely incorrect view taken by the Select Committee of 1884."

Here we venture to disagree with the critic. The section runs as follows:—

"149 (1) When a defendant admits that money is due from him on account of rent, but pleads that it is due not to the plaintiff but to a third person, the Court shall, except for special reasons to be recorded in writing, refuse to take cognizance of the plea unless the defendant pays into Court the amount so admitted to be due.

(2) Where such a payment is made, the Court shall forthwith cause notice of the payment to be served on the third person.

(3) Unless the third person, within three months from the receipt of the notice, institutes a suit against the plaintiff, and therein obtains an order restraining payment out of the money, it shall be paid out to the plaintiff on his application.

(4) Nothing in this section shall affect the right of any person to recover from the plaintiff money paid to him under sub-section 3."

In the case contemplated by the section, the defaulting tenant sets up the title of a third person. Assuming, correctly enough, that in nine cases out of ten this is done, as the *Englishman's* critic says, at the third party's "instigation and with his support," the law provides that, if the third party wishes to get any benefit out of his underhand action, he must push it to its logical consequence, and sue in such form as to get an order for the payment of the money alleged to be due to him. The form of the suit will depend upon the nature of the title to be established—a matter which neither the framers nor the editors of a Rent Act can be expected to elucidate. As for resorting to a title-suit with a heavy Court-fee stamp in order to retard the payment of the amount deposited by the original defendant, that is just the course which the "unscrupulous third person" is most anxious to avoid. His object usually is to force his adversary into Court, and thus to get any advantage a defendant may have in respect of the burthen of proof. There is nothing to stop him from suing for title whether rent is in deposit or not, and it is difficult, therefore, to see how the section opens any fresh means of vexation. What it does

is to prevent the unscrupulous person from getting any good by manipulating the tenants, and obscuring the real issues of the case.

The Legislature has exercised a wise discretion in guarding against the application of the Act to the incidents of "a Ghatwali or other service tenure" (Section 181). The subject of Ghatwali tenures is in itself intricate and difficult to a degree, and has been further complicated by a *forbidding terminology, the meaning of which varies* from district to district, and often from pergunnah to pergunnah. Beyond referring to it as an excellent illustration of the dangers which centre round the names of tenures, we do not propose to discuss the subject at length here. One point, however, deserves notice. In the districts where Ghatwali tenures are numerous, and serious attempts have been made to utilize the Ghatwals as rural police, a difficulty has arisen in connexion with raiyats holding under Ghatwals, the solution of which seems likely to be facilitated by the Act. It has frequently happened that a Ghatwal, holding a certain area of land on terms of police service, collusively sub-let the whole area to raiyats at unreasonably low rates of rent. On the death or dismissal of the Ghatwal, the district officer found the rental of the tenure insufficient to induce a substantial and respectable man to take it up, and the police resources of the district were *pro tanto* reduced. One officer boldly cuts the knot, by holding that occupancy-rights could not accrue under Ghatwals, and proceeded to eject the whole body of raiyats by sending constables to turn them out. The Civil Courts and the Commissioner, however, speedily brought them back, and a state of dead-lock ensued. Collusion between the outgoing Ghatwal and the raiyats was difficult to prove, while a suit for enhancement under the old law would have been but a doubtful experiment, even if the new Ghatwal had had the money to carry it on.

By the present law, not only is the enhancement of palpably inadequate rents, under the ordinary procedure, materially simplified, but it would also be open to the Commissioner of the Division to sanction a survey and record of rights on the application of the Ghatwal-landlord under Section 103. In either case the rental of the tenure would be raised to an amount sufficient to maintain the proper complement of Ghatwals, and Government would be in a position to save additions to the regular police, by making the large Ghatwali force a working reality instead of a cumbrous sham. In most of the districts where Ghatwals are numerous, their existence, we believe, was taken into account in fixing the strength of the regular police, and it is hardly fair to the general tax-payer that this local force should

not be fully utilized as the advance of population creates a demand for additional police. As an additional reason for studying the efficiency of the force, we may quote the editors' remarks in their note on Section 181, that "as long as Ghatwals are able and willing to perform the services for which their tenures were granted to them, their tenures cannot be put an end to . . . nor their rents enhanced, on the ground that their services are no longer required."

We shall watch with particular interest the working of Section 183, which saves customs and usages not inconsistent with the Act. An elaborate note on this Section brings out the difficulties inherent in the subject, and finishes by quoting in illustration of the term usage, that famous leading case in which

"Old Wigglesworth
Fought for old use, and in his proper cause
'Stablish'd the general wont of Hibaldstow,
And built himself an everlasting name."

Nothing would be easier, did space permit, than to multiply instances of local customs and usages, and to discuss the fate reserved for each of them under this section. But no useful purpose is served by asking premature conundrums, and we therefore confine ourselves to a single instance. In a large, prosperous and eminently peaceable estate in Bengal, the custom prevails that, whenever a raiyat's holding changes hands by succession, sale or mortgage, *one pice in the rupee* is added to the rent. This custom, we are informed, has been in force from time immemorial. Suits for enhancement are unknown, and the relations between the landlord and his tenants are most friendly. This being so, it is possible that the legality of the custom may not come to be disputed in the Courts, until by its operation some particular raiyat's rent has been raised to a pitch affecting his standard of living. This point, it is clear, must be reached some time or other, as the custom makes no provision for the reduction of rents. And it would seem that, whenever their turn comes, the Courts must hold the custom to be inconsistent with the terms of Section 29 of the Act.

In a supplementary note on the form of Receipt for rent, Schedule II of the Act, the editors discuss "certain misapprehensions that have arisen, and difficulties that, it is said, have been felt in making use of it." People have supposed that the expression "particulars of the holding" referred to the status of the tenant, and raiyats are said to have refused receipts because their status (as holding at fixed rates, occupancy or non-occupancy) was not entered. A glance at the form of account in the same schedule should have made

matters clear. There the words: "particulars of holding" are followed by the words "(area, rent, etc.)," and it is obvious that the expression must have the same meaning in both documents, and that the explanation given in the one must apply to the other. In fact, however, there is nothing new or remarkable in the claim on the part of a raiyat to have the character of his tenancy entered in receipts for rent. We have seen dozens of similar cases in Wards' estates under the old law, and have either declined to make any entry of status at all, or have pacified a tenant who claimed to hold at a fixed rent, by entering the words *ishári istimrâri*, "*alleged holding at fixed rates*" in the receipt. This difficulty then, is in no sense a creation of the Tenancy Act, though it is possible that the introduction of a new form of receipt may have given encouragement to the attempt to extract from the landlord what might be a very valuable admission.

A further difficulty complained of by the landlords is, that while they are required to specify the area of the tenant's holding in their receipts, the area is either unknown to them, or varies from year to year as in the case of *char* and *utbandi* lands. With regard to this point, the editors explain that a landlord is only obliged to enter in the receipts such particulars as he can specify at the time of payment, and that he is not liable to penalties for the statistical shortcomings of his estate. They go on to say, "But if there is a dispute between the landlord and the tenant as to the area of the holding, and the tenant refuses to accept a receipt in which the area is entered as it is alleged by the landlord to be, the landlord can then either omit the area altogether, risk the consequences, and explain the omission in Court when occasion arises, or else apply under Section 150 (a) to the Court to have the dispute settled." This seems to us rather a hard saying. If, as the editors assume, the landlord *can* state the area, is he not putting himself in the wrong by omitting to do so, merely because the tenant demurs to the statement? Would a Court trying a suit under Section 58, hold that the fact of a tenant objecting to the area alleged by the landlord, was "reasonable cause" for the latter to disregard an obligation distinctly imposed upon him by the law? Again, is it not rather hard upon the landlord, that whenever a tenant disputes the correctness of his statement of area, he must either omit the area and risk a penalty under Section 58, or be driven to make an application under Section 158, which would probably be as expensive as a regular suit? On the whole, then, it seems to us that the proper course for the landlord to pursue in the case supposed, would be to abide by his own statement of area, and leave the tenant to file an appli-

cation under Section 158. If the landlord's counterfoil receipts are properly kept, he should have no difficulty in proving that the receipt had been tendered and refused, and that appears to be all he need do in order to secure himself.

We have two minor suggestions to make for the second edition, which we expect will soon be in demand:—first, that the editors should examine their use of the terms, clause and sub-section, and restrict the latter to its technical sense; secondly that, for convenience of reference, they should insert the section-numbers at the top of every page. This is a small matter, but it will save trouble to judicial officers and pleaders who have to handle the book in Court. Nothing is more irritating to a man in the throes of argument, than to fumble for the section he relies on, through a wilderness of closely printed notes, without some sort of signpost to guide him.

In conclusion, we wish the editors the full measure of success which they deserve. In days of haste and high pressure, they have turned out a thoroughly sound piece of work, which will go on improving through successive editions as it gathers in the harvest of leading cases we are all of us waiting for. Thus may gloss beget gloss, and commentary give birth to commentary, till the Judges of the future shall say of the latest edition of the book—

“ So long as pleaders prate, or mukhtars fuss
So long lives this, and this gives Law to us.”

H. H. RISLEY.

THE LEGEND OF LOVE AND DEATH.

Love and Death once ceased their strife
At the Tavern of Man's Life ;
Called for wine and cast, alack !
Each his quiver from his back.
When the bout was o'er they found
Mingled arrows strewed the ground :
Hastily they gathered then
Each the Loves and Lives of Men.
Death's dread armoury was stored
With the shafts he most abhorred,
While Love's quiver groaned beneath
Venom-headed darts of Death.
Thus it was they wrought our woe ;
Can Love see or does Death know,
Loosing blindly as they fly,
Old men love while young men die ?

RUDYARD KIPLING.

ART. VI.—OURSELVES AS OTHERS SEE US; OR,
ENGLAND FROM A FOREIGNER'S POINT OF VIEW.

TO see oneself as others see us, is not always an unmixed enjoyment. Many of our countrymen will have read the highly amusing book of Max O'Rell, "John Bull et Son Isle," and their feelings will have been more or less pleasurable, according to the vulnerability of their national *amour propre*, and the greater or less faith they place in our British infallibility. Only the very sensitive or intensely insular Englishman, could, we think, be seriously scandalized by the acute, witty, but more or less truthful delineations of his national idiosyncrasies, drawn by the lively Frenchman. The book is certainly not designed to be malicious, any more than Punch is malicious, when he presents us with reflections of our social and individual foibles, not always the most flattering. There are many less salutary enjoyments than a hearty laugh now and again at one's own expense. Only the very crabbed will refuse to see the fun of the good-natured joke of which he is the butt. For our own part, we read the book with extreme amusement, if from no other cause than the pleasure one derives from looking at a well-known landscape through the eyes of one who views it for the first time. Time and use have blunted our appreciative as our critical faculty. A new-comer points out its special beauties;—descries at once its more salient features, and sees defects to which we were blind.

Next in rank to the pleasure of seeing a new thing, is that of beholding an old one under a new aspect. Why do the preachers from our pulpits so often fail to interest us? What they say is often true enough, good enough, and, as a rule, carries our acquiescence. But our involuntary inward verdict too often is *flat, stale*, unprofitable! Another preaches the same truths, handles perhaps the very same subject, but he succeeds in doing so from a new point of view. He places it in new bearings—different juxtapositions with other truths—investing it with something of his own individuality. All is thrown into new and bolder relief. We come away delighted, interested, refreshed! The preacher who possesses this faculty, of placing the old before us, under new lights, otherwise originally, resulting from individuality of conviction, will never preach to empty benches. The tendency of the age is to monotony and a dreary dead level of thought. The world will ever welcome him, who brings it, not so much some new thing, as an old thing newly dressed and so vitalized.

Nothing is less inspiriting or less stimulating to his own imagination, than the ordinary life of the ordinary Englishman or Englishwoman. "The common round, the daily task," is the lot of the greater number. Even were it otherwise, while actors in it, we can never judge of the effect of the drama as a whole, nor of the stage on which our little part is played. We regard the play, the stage, the actors, chiefly in their relation to our own part, and our view is consequently limited and biassed. Those who have fought and won the world's greatest battles, and even perished in the strife, have known infinitely less of the battle-field, and the nature of the struggle, than the merest schoolboy who studies it centuries afterwards map and history in hand.

The Britisher is, as a rule, too deeply absorbed, too much up to the ears in the conflict, the wear and tear of life, to make a good philosopher or moralist of his own national history, flourishing side by side with vice and degradation which can scarcely be further debased. Our social system must present a scene of hopelessly complicated anomalies, if one cannot recognise that, in England as elsewhere, the bad and good are growing both together until the harvest; and, that each sowing seed after its own kind, the crop of evil and of good must indeed be puzzling, if we lack the power of discerning between the two. Mons. H. Taine, with a truly philosophic calm, seems ever intent on disentangling the intricate web, and tracing to their separate and independent sources the complicated meshes of its warp and woof. Generalities are certain to be misleading as well as unjust, and to attribute either all that is found of good or evil to each individual Englishman or woman in our teeming "Isle," would indeed be fruitful in confusion and injustice. It may be truly said that thousands of our countrymen are as entirely irresponsible for the good done in her as other thousands are for the evil. There are not a few among us, whose entire lives and beings are devoted incessantly to the promotion of philanthropic schemes for the elevation and regeneration of our people. While side by side with these, are other thousands who would blush to be *thought* good.

We have in Mons. Taine one whose name and attainments were themselves a passport into any rank or phase of society he wished to study. (Max. O'Rell's observations lead one sometimes to suspect that the doors of the *elite* of our society may not always easily have opened at his approach.) Himself one of a nation, where every form of Government having been experimented on in its turn, whether monarchical, revolutionary, despotic, democratic or constitutional, and which has lighted for the time on a republican: here

even the leisured or privileged classes are often too absolutely in the stream to be able to judge accurately of the final drift of the current. Like a mighty river, the occult forces of society are bearing us onward unresistingly on its tide. Thus, he only, the unimpassioned spectator who regards the onward sweep of the current from the shore, is fitted to pronounce on its tendency or the final destiny, and the character of those whom it bears on its surface.

Max O'Rell may please himself and his reader by assuming the rôle of the unsparing, slightly cynical, yet good-natured critic. The wise man will learn as much, perhaps more, wisdom from his detractor as from his eulogist. He who resents every hint as to his own shortcomings in immaculateness, finding truth only in that which flatters his self-esteem, may be satisfied, that is, *self* satisfied, but he is not likely to be an expanding character. Truth is rarely flattering, but it is almost always salutary. Home truths are proverbially distasteful, but they may be made invaluable. It will be according as they are taken.

It is, however, with almost unalloyed enjoyment we open and peruse the picture of ourselves, drawn by the pen of another of our French neighbours, "*Notes sur L' Angleterre*," by Mons. H. Taine. It is written with a more distinctly friendly feeling, if not a more impartial judgment. Max O'Rell labours throughout with an apparent inability to distinguish individual and national sins and virtues. He ascribes throughout all that he saw of worst and best to the entire nation. It follows that in a country such as ours, where virtue and graces of the highest order are found, his observations and reflections had a *prima facie* claim to attention and respect, when he essays to pronounce on those political problems, which perplex our politicians in their changeful turbulent complications, and seem to be driving our country headlong forward, who shall say whither? It is a common cry among us that we are drifting on shoals, where we shall lie helplessly at the mercy of the waves, and disintegrate bit by bit. While others yet more gloomy foresee sudden destruction looming in the near distance, and the vessel of the state foundering on a rock and disappearing for ever. It is comforting to discover that these gloomy forebodings are not altogether shared by the outsider, who, uninfluenced by party frenzy, calmly views our social system. Yet if in his search after truth he lays his hand on some of its sore and festering wounds, shall we owe him a grudge, or resent the friendly reproof? Is it not rather the part of wisdom to cry *peccavi*, and humbly say—"These things ought not, and as far as our individual influence or responsibility goes, shall not so be?"

He seems to walk straight on, with keen, wide, open eye. The *enormousness* of things is what first strikes him most keenly. The Port of London begins to produce this impression, which, whenever he quits the individual for the general, goes on augmenting. We give in our quotations a rough translation.—“The river (the Thames) as he approaches Gravesand, is enormous; but filthy, made sombre by lugubrious grey tints. Little by little the clouds disperse, and the sky shines out right and left; we pass pretty country houses, clean and freshly painted. One sees the green turf rising towards the horizon, studded with fine trees, advantageously planted and grouped. The ships and the warehouses multiply. One feels the approach of the great city. The little piers for landing jut out over the shining mud, fifty feet into the stream. Each quarter of an hour discloses more clearly the traces and the presence of man and the power by which he subdues nature. Docks, warehouses, basins for the construction or calking of vessels, timber yards, residences, prepared material, accumulations of merchandise! Astonishment becomes by degrees overwhelming. Leaving Greenwich, the river is nothing less than a vast street over a mile in width, on which, between an interminable row of dull red buildings of brick and tile, and bordered by great stakes fixed in the mud for attaching vessels, which there stop to load or unload, are new warehouses for leather, stone, coal, and agglomerations of every kind. Bales are piled on bales, sacks are being hoisted after sacks, casks are being rolled upon casks, the cranes grate, and the capstans shout! The sea reaches London by the river: it is a port on *terra firma*! New York, Melbourne, Canton, Calcutta stop here first. But what carries the impression to its height, are the canals by which the docks open into the wide waters. They are streets crossing the main road, and they are streets of ships!”

“They burst suddenly upon the view in lines without end. The entire circle of the horizon is hemmed in with masts and cables. The rigging of innumerable vessels, in widening circles, like an immense spider’s web, extends as far as the eye can reach. Here, indeed, is one of the great sights of our planet! To see such another accumulation of buildings, men, vessels and traffic, one must travel at least as far as China.” This vivid description of the first and last glimpse of our native land, to many of us Anglo-Indians, will recall some of the best and some of the darkest moments of our lives, either as we have gazed, through eyes dimmed with tears, at its receding shores, leaving behind to all the dread uncertainty of the future, much that was dearest in life, or gazing eagerly forward as the noble vessel that had safely borne us back to the shores of

England, wended its stately way amid its sister craft, and restored us to that which years before we had left: and to all the exhilarating sensations of being once more at "Home." We cannot apologise for giving it in *tofo*; for this involuntary tribute to one of the forms of greatness of our land, will find an echo in the heart of each of us. Who have greeted, or bade farewell to our land by the world's highway. On a further acquaintance with London, among the various emotions of wonder and surprise not always unmingled with dissatisfaction, especially when he touches on climate, decidedly not one of our beloved country's strong points, we find the sense of *immensity* in the ascendant.

"Three millions two hundred and fifty thousand inhabitants!" he might have added in his more recent edition upwards of 4,000,000! "That would make," he calculates, "twelve such cities as Marseilles; ten such as Lyons; two such as Paris in one heap! But the words on paper convey very inadequately the impression of the eyes. One must take a cab for several successive days, driving north, south, east, west, a whole morning, till one reaches the open country where the houses becoming more sparse, permit the country to begin. *Enormous, Enormous*, this is the word that rises to our lips again and again.

"Paris is mediocre along side of these squares, these crescents, these circles and rows of monumental houses of massive stone porticoes, sculptured façades and wide streets. There are fifty at least as vast as those de la Paix. Certes Napoleon III had never pulled down and rebuilt Paris, had he not lived in London.

"All here is on a grand and massive scale. The clubs are palaces; the hotels are monuments. The river is an arm of the sea; the cabs go at double the rate. The bargemen and omnibus conductors swallow a phrase in a word. They economise words and signs, doing all that can be done by action and time. Here man produces and expends twice as much as with us.

At Manchester and Liverpool this impression of *vastness* goes on augmenting. The gigantic scale of our mercantile undertakings amazes him. But at what a price is this distinction purchased! Let us look at this picture of our poor operative fellow-countrymen, the "hands" that build up England's mercantile greatness; truly the reverse of the picture is saddening, and we see the terrible shadow cast by a nation's colossal, so-called prosperity. After describing the gigantic factories, their machinery, the order and discipline maintained within them, and the general working perfection of the factory system; the fine houses and creature comforts of the monied

employers of labour ; the Mersey with its vast winter forest of masts and cables ; the splendid docks turning out by the dozen our great iron-clads ; he turns his footsteps from the contemplation of these triumphs of nineteenth century science and skill, and passes into some of the side streets and lanes, where the mill hours over, and the "hands" dispersed, these human ants foregather, and he thus describes his sensations.

"It has struck six, and we retrace our steps through the poor quarter. What a sight ! In the environs of Liverpool are from fifteen to twenty streets with ropes stretching from one side to the other, on which the people hang out their rags and linen to dry. On each staircase swarm troops of children with a squadron of others mounted on the steps behind them ; the eldest carrying the youngest in her arms. Pale faces, colourless, unkempt hair ; shoeless, stockingless and ignobly filthy ! Faces, arms and legs encrusted with perspiration and dirt. Perhaps you will find a couple of hundred such children romping and fighting in a single street. One draws nearer, and in the dim twilight of the passage, the mother and a grown up sister are crouching almost *en chemise*. What an interior ! We catch a glimpse of a shabby oil-cloth rag, sometimes a shell, or one or two poor stone China ornaments. The old grandmother half doting, sits in a corner. The woman is trying to mend the wretched clothes, while the children roll and tumble one over the other. The places smell like a rag shop. Nearly all the houses have for first floor a damp cellar flagged with stone. Picture to yourself life in winter in these cellars ! Some of the children, still young, are fresh and rosy, but the sight of their great blue eyes hurts one ! This fine blood will grow poor. A little older, they will fade, the flesh become flabby and of an unhealthy whiteness ; all around there are scrofulous faces whose sores are covered with bits of plaster.

We proceed, and the crowd increases. Lads of larger growth are seated or lying about the pavements, playing with blackened cards. Aged women, bearded and livid, issue from the gin palaces with trembling limbs. Their dull gaze, their meaningless smile, are indescribable. They seem as if their features had been slowly corroded by vitriol. Their rags hardly kept together, disclose through their rents, their filthy skin. These were once elegant dresses and the bonnets of ladies !

"One horrible detail strikes us ! These streets are regular and appear almost new. Probably, therefore, this is a *reformed* quarter erected by a benevolent administration ! Here, then, is the best that can be done for the poor. This uniform file of houses and pavements enclose, within its mathematical lines, this swarming mass of human misery and hideousness. The air is heavy, the light, pale and wan. No form, no colour

on which the eye can rest with pleasure. Rembrandt's beggars, in their picturesque tawdriness, were happy in comparison!"

And this, in Christian England! We spend thousands in efforts to Christianize Heathen India; but these are the Children of the Kingdom, so to speak! The inferences drawn from such reflections are confounding.

This visit, it is true, was made twenty years ago; but any one of us who has walked through London, or any of our great over-populated cities with his eyes open, must be aware that scenes as evil and even worse, abound in streets and alleys without number. One seems to feel the early Briton in his primeval forest, free and strong of limb, physically at least, an enviable being compared with thousands of his degenerate descendants of to-day. The march of civilization seems destined in its ruthless trampling over the heads of the million, to be as desolating as was ever that of any Roman warrior. When will the selfish struggles of party cease, and our statesmen bend to the glorious task of finding a way out of his castle of ignorance and misery for the British workmen? When the wealthy of our land awake from their selfish dream of pleasure, shall join hand in hand with the philanthropist and the true patriot, perhaps, indeed, some salve may yet be found by which the plague may be stayed and the physical, moral, and mental destruction of the classes at the foundations of society be averted. But above all, the workman must himself awake and learn, not from the mouths of agitators and socialists, but from those who truly have their best interests at heart, how to help themselves.

Mons. Taine puts his finger with true instinct on the chief source of all this misery. Over-population undoubtedly does much, centralization much to cause it, but its chief source is drink. Our enormous manufactories, with the employment they afford to thousands, ever tend to draw the population more and more from agricultural pursuits and village life, and concentrate them in the great towns. Early marriages are the cause of the first, but for the latter and greater evil, intemperance, and a variety of causes combine.

The fearful monotony of daily toil: the sombre nature of our climate, so inimical to outdoor sports or enjoyments: the miserable discomfort of the home surroundings of a vast majority of the working men. Let us compare with the above picture,—a Frenchman's, one drawn by an English pen, of the peasant homes of some of his own countrymen, and we shall not fail to be struck by the contrast.* After describing the

* In *George Sand's Country*, by Miss Beltham Edwards. MacMillans' Magazine.

small holdings, with the neat and cozy farm-houses of the pleasant proprietors, Miss Beltham Edwards goes on to say :—

“At Châtreaux the problem before alluded to, of turning the artizan into a proprietor, has here been realized. Here, at least, the workman has emulated the zeal of his thrifty neighbours in the country, and hardly a journeyman shoemaker, carpenter, or builder in the place, but has a house and bit of garden to call his own.

“In other words, he is a capitalist to the extent of two hundred and fifty pounds. Here self-help and sobriety have been the sole influences at work. I visited a good many of these neat houses not mapped together, but just planted here and there, where a bit of building land was to be had. In appearance one is very like another, although we found a considerable difference in the interior, some being fastidiously clean and wearing an air of comfort ; others being less so. A front kitchen in which the best bed stands conspicuous, a back room, a couple of attics, out-houses, and a small garden. Such is the artizan's home at Châtreaux, and if it has not the trim appearance of a model English Cottage, he can at least say with Touchstone—‘Tis a poor thing, but mine own.’ One interesting feature about these houses is, that in a great measure they are the handiwork of their owners. The plot of ground purchased, the purchaser devotes every spare moment to the construction of his house. Such help as he needs in the way of carpentry, glazing, &c., he gets from journeymen like himself. . . . The morality of the place has been greatly improved by this transformation of the artizan into a freeholder. Early marriages are the rule, and young women employed in the State tobacco manufactory, instead of spending their earnings on finery, lay by in order to help their *futur*, in the purchase of a home. Public-houses are few and far between: *want, rags and drunkenness are all but unknown.*”

Here is indeed a striking feature, the young woman denying her natural instincts to vanity, that she may help to build the home of herself and future husband ! Well would it be if our working girls would emulate the thrift, the self-respect, the dignity of such a habit. But this idea seems quite un-English. Mons. Taine expresses it well when he says, of all classes, to produce or gain much, to spend all he gains, *not* to lay by ; this is the Englishman's ambition. An instance in point occurs among numerous others to mind. Speaking to a highly respectable girl in my service, whose devotion to me through a long illness, had won my highest regard on the subject of her future establishment : she was engaged to a young man of good character and prospects in her own class.

“Now, Jane, that you are earning such good wages, ought

you not to be trying to lay by something towards setting up housekeeping? A young woman must come so much more independently to her husband, when she has something of her own laid by against a rainy day." Jane looked rather sceptical, as she replied—"I don't know what *my* young man would say, if I was to do that. If ever we *do* get married, he won't let me want for nothing. I'm sure he couldn't abear my having aught of my own!"

Mons. H. Taine gives us, in three widely differing types, the results of his careful observations and analysis of the English character. His method was, he tells us, to amass a number of the most striking characteristics of those among whom he mixed, to reduce them to a certain order, and thence deduce his own conclusions, modified by a free discussion of them with his friends. These traits he verifies in a number of individual cases, compares, interprets, and classifies. He arrives at the following results:—

Type I.—"The tall solidly-built robust man, a magnificent colossal figure, sometimes six feet high and broad in proportion. This class is frequently to be found among our police, our soldiers, notably in the life-guards, a picked corps. Splendid complexions, of fresh rubicund colour:—one would say, beetroots or cabbages picked out for a flower show! At heart, good-humoured, perhaps good-natured, but generally *gauch*. Their self-conceit takes a special character of its own. In a light red jacket, cane in hand, they strut up and down displaying to the fullest advantage their trunks and the fall of their backs. Under the little cake-like hat, stuck jauntily at the side of their head, one perceives the clear parting of their well pomadoed hair.

"One may be seen, thus, in the corner of the street displaying his magnificent proportions to an admiring circle of street boys. They are indeed as solid masses of substance *monuments*! But then one may have enough of mere bulk, but movement is so essential to matter!"

Under the same physical category, he gives an amusing portrait of the servants in great houses: the valet, or butler, who apes his aristocratic master's airs and graces, the ponderous coachman who majestically occupies his coach box as he *drives* him through the parks. Of this type he tells us, the *higher* classes are not without their examples. The general impression of them is conveyed in the portraits of Henry VIII.

"Exposure to the elements, solid food, a literal recourse to various drinks—beer, sherry, port: endurance of fatigue; all tend to develope and keep alive this type among our countrymen, and they are to be found in all the professions. It is

the class in whom one sees developed the primitive German, as he issued from his primeval forest."

This may be true, but the above aspects of our race are not those on which one most loves to dwell, or those we should prefer to trace among our nearest and dearest.

Type II.—The phlegmatic undoubtedly Mons. Taine would not have far to seek specimens of the above. He is the man who, in rural districts among this peasantry, is described as a '*stîle*,' or '*quiet*' man. These epithets are invariably used in a eulogistic sense. In the upper ranks he is described not inaptly as "a man of few words."

"He forms his impressions," says our author without expression, much less without explosiveness, perturbation or excitement. He is the absolute opposite of the impassioned petulant southerner. A manner chilly, if not glacial: gestures automatic; countenance, impassive! He is of few or no words. Our best novelists confirm the accuracy of this portrait, of which they furnish numerous examples. The instances Mons. Taine cites, are amusing.

One of his friends B, calls on an English lady, with whom he is about to enter into conversation. The husband enters and crosses the room, apparently unconscious of his presence and looking in another direction. At the end of a minute's duration, he remarks without moving a muscle of his face—"Glad to see you, Sir."

May not this singular procedure have been the result of that national antipathy to the foreigner, and difficulty of addressing him in his own tongue, which characterizes not a few of our more insular and less travelled countrymen? Perhaps this person was reflecting on an appropriate French salutation which did not readily occur. For, as a rule, no gentleman would in his own house be found wanting in the duties of politeness to any stranger.

He cites also the silence and absorption, with which a band of cricketers will go through a game—"without exclamations or any visible emotion." Such silence, however, would only indicate intense internal excitement, not as he imagines—"drowsiness of the nervous system resulting in indifference."

Yet the English aphorism, "deeds not words," would in such an instance perhaps correctly interpret the national sentiment. His force of character, his energy and nerve find vent in acts, and he reserves the strength which, in more excitable natures, is apt to evaporate in words or sounds for more effectual if less telling demonstrations. This so-called phlegm is perhaps more attributable to concentration than to indifference.

Mons. Taine does not, however, in this very impartial effort

to paint a true portrait of his English friends, overlook the possible advantages of their *sang froid*. After touching on the extremely revolting picture of the lower grades of this type, he does full, if not more than justice, to its higher developments.

"On the other hand, when the man is an intelligent and cultivated gentleman, this phlegmatic temperament produces a perfectly noble bearing. I hold in my memory at this instant several instances: eyes of pale blue, complexion pale, features small and regular, forming one of the finest human types. Entirely free from an exaggerated chivalry, the brilliancy of the gallant, one feels oneself to be in the presence of a spirit under absolute self-control, beyond the reach of vertigo. They even erect this peculiarity into a virtue. According to their ideas the chief merit in a man is to preserve 'a clear and cool head!'

Apropos of the above. A native of India, in an eminent position, enquired of an English gentleman with whom he was on friendly terms:—

"How is it, Sir, that you English, while taking so much pains to protect your extremities from the winter cold, leave your heads and faces absolutely exposed, except for your hats, in which there is no warmth to speak of? We natives take but little care of our feet and legs, but we bestow all our thought on the protection of our heads and faces."

In fact, no one who has either attempted to ride or drive through a crowded native thoroughfare or bazar, but has suffered from the inconvenience of this habit. The native enveloped in, fold upon fold, and garment upon garment, is a being hermitically sealed to sound, almost to sight. Accounting blissful ignorance, better than the wise folly of being alive to possible mishap, he pursues the even tenor of his way, in the very centre of the road, leaving the entire responsibility in the hands of whomsoever it may concern to rescue him from being perpetually knocked down or run over! But to return to our illustration.

"Therein, my friend," replied the phlegmatic Englishman, "you find one of the main reasons for our being at the head of things in general, in this magnificent country of yours. You keep your feet cold and muddle your brains with wraps. We keep our limbs warm for action, but our heads clear and cool."

"*Sach bāt*," replied our Arian brother, and he no doubt made a mental note of what he fondly imagined might be a new clue towards fathoming that bewildering puzzle "the *Belaite Sahib*."

We come now to our third type as portrayed by the able

pen of our French critic—one which each of us will readily recognise, and of which our individual knowledge of ourselves will furnish many instances.

“The being active and energetic, capable of enterprise, of endurance, effort, and of perseverance; loving exertion for exertion’s sake!”

Of this type are the nation’s heroes. Our Franklin’s and the noble hands of brave and dauntless men, who sacrificed life and life’s dearest joys year by year, in the vain effort to track his footsteps over the pathless waste of snow! From them spring Livingstones, Bakers, Girdons! Our author quotes more ordinary examples:—

“One day as I was about returning from a visit in the country, two young fellows proposed to share the accommodation and expense of my cab. Naturally I accede to the first, but decline the latter proposition. On the road we converse. They are brothers, one 19, the other 17 years old. They have ten brothers and sisters and are starting for New Zealand. They expect to remain there twelve years, and hope to return having made ~~their~~ fortune! Their programme is as follows:—They will become sheep farmers! In saying this, the glow and animation, the ardour and decision of their accent and gesture is impossible to depict. One is impressed at once with the superabundance of energy and of activity—the “overflowing animal spirits.”

They present the appearance of a pair of well trained greyhounds, sniffing the air in full chase. According to them, with £1,000 or £2,000 sterling to start with, one can return at the end of a dozen years with £20,000!

“You will be just thirty years old by that time, and returning in time to be married!”

“Yes, Sir!”—*This*, with a thoroughly juvenile explosion of enthusiasm!

The first year he will learn his business, then start on his own account and swim by himself. Over there he is his own workman. “He will build, cut down the forest, dig, harvest, pasture and shear his sheep, *‘all with his own hands!’*” As he says this, he explodes in a hearty laugh full of fun and enjoyment.

These young people, so gay, hardy, and enterprising, delighted me. This seems a fine way to enter upon life: the world is before one, one takes the cream of it!

The fortune once made, the interest and the inspiration continue. For the English, work is its own aim and object. If it is not needful to work for his own special benefit, he takes an active part in politics, public life, associations, &c. In illustration, he gives the sketch of a tradesman’s son, Started

at 19, to find his own way in life as a practical engineer, who begins with a salary of £40 per annum, and by steady gradations, rises by industry and integrity to be Secretary of a great London House on a salary of £600. Who spends his earnings in literary work, requiring as a preliminary a minute acquaintance with the classics, which he has managed to acquire in hours of leisure, together with German, French, and music, with a general liberal culture.

This gentleman, he affirms, feels work to be his great necessity: and declared that having once spent nearly two days unemployed, he had almost died of *ennui*! In this young man's opinion, the need of action is the foundation of the English temperament. The machine devours itself, if it revolves empty.

He sums up:—

"Excellent specimen of English life. To be left early to one's own resources. To marry a wife without fortune. To have a numerous family, yet to spend one's entire income, or lay by but scantily, to place their children under the same necessity to work as themselves. To lay in incessantly a fresh stock of facts and positive knowledge. To refresh oneself after one's herculean labour by plunging into another. To be for ever producing, for ever acquiring. This is the height of their ambition, both for themselves and for their children."

J. E. DAWSON.

ART. VII.—“FROM 90° TO 100°.”

THE thermometer is above 90°, steadily moving up to 100 ; —one hundred degrees of heat. Think of that O ! friends and acquaintances in Europe, ye happy sojourners in Simla or Darjeeling, ye cynical, cold-blooded disbelievers in the heat and discomfort of India, who live far away in a climate that braces and invigorates, where you can sit and write without feeling that your brains are being boiled, and your strength is oozing out of every pore of your body.

I wonder if the calm and collected philosophers, who sit in their comfortable studies at home, and pen wise remarks on the high salaries of Indian civilians, and who probably know nothing of the distinction between the covenanted and the uncovenanted service—or they would hardly say their salaries were all high : I wonder if they have ever tried to realize how heavy an inducement it would require to make them do even their moderate amount of work, in a temperature such as these same civilians work in for eight months out of the twelve. I wonder if the wise, able rulers who pull the strings from afar, and who feel it to be conscientiously their duty to get the utmost possible amount of work out of everyone, ever realize, or try to realize, how the whole machinery is being strained, how every department is being forced to work at a rate that threatens to destroy the good quality of the work done.

If a mill-owner was so misguided as to make his hands work overhours for every day of the week, he would probably cause a perfect tumult of indignant protest. Our paternal Government looks carefully after the coolies on a Tea Garden, to make sure that they are not overworked, but what Government servant now-a-days can get through his allotted duty without working all day, and every day : even Sunday is not free—and the thermometer somewhere between 90° and 100°.

The salaries ought to be high, and perhaps they were once, when the rupee was worth two shillings ; some inducement was necessary to make it worth while for men of good education to live in India. The Government agreed to give its servants fair wages for fair work. Now they give the same wages for double the amount of work, and the value of those wages is considerably reduced. Almost everyone is beginning to lose heart. The car of justice is no doubt a magnificent and wonderful piece of machinery, but as it grows more and more perfect, year by year, so it grows heavier and heavier, and instead of increasing the numbers of those whose duty it is to keep it

moving, each one is made to bear his share of the extra weight, and that extra weight is, in some cases, almost unbearable. It would be unbearable enough in a good climate, where body and mind are kept healthy and active by fresh air and good food, how much more so in the sultry atmosphere of India (with the thermometer nearly a hundred) where body and mind are worn out with a rapidity that is unrealizable by those who have not felt the exhausting effects of months of hard work in the hot season.

What does an old rhyme make the faithful horse say :—

"Up the hill spur me not,
Down the hill urge me not,
On the plain spare me not,
And in the stable forget me not."

The race of life grows faster and faster ; men must be spurred on up hill or down ; if they fall by the way, what does it matter ? Death vacancies are a boon to all who are below them on the list, and there are plenty of younger and stronger men, although perhaps not so able or experienced, to take the place of those who die. In almost every department Government officers are being overworked—those, of course, who conscientiously endeavour to do their work—with the natural consequence of loss of health and energy. An early morning visit to the bungalows in an ordinary Mofussil station, discloses the fact that nine out of ten of the Government officials are busy with their papers many hours before their regular cutcherry work begins, at a time when they ought to be out walking or riding. Instead of taking advantage of the only cool time there is, to take the exercise necessary to keep them in health, they are wading through piles of papers that require their undivided attention. For them to do their work thoroughly, they must get through a fair day's work before going to their office, and the office hours, that used to be from 11 A. M. until 4-30 P. M., are now prolonged indefinitely, and a visit to the station tennis court in the evening discloses the fact that they are frequently out of office too late for a game of tennis.

And yet these men—who work early and late, in a climate that is too unhealthy for their families to live in, and who have to expend the larger portion of their salaries in providing a home for them in Europe or in the hills—are talked of as "the highly-paid ;" "the over-paid."

It is possible that some of them are overpaid ; it is not uncommon to hear young men who have only a few years service to their credit, make it a grievance that they have not been given this or that fat appointment ; or to hear young wives expressing their indignation that their husbands—who are more clever—more worthy—more everything than anyone else in their

service, should not be allowed to run up the list without reference to anything but their own wonderful abilities, and draw the same pay as men who have served for half a lifetime. But no one listens to them, except when some glaring "job" is perpetrated, in any particular department, and the sufferers—for a "job" is always an injustice—find out that it is better to be the ninety-ninth cousin to Sir Somebody Something, or the husband of Sir Somebody Else's wife's sister, than to be a good and efficient officer. But there are not many plums to be had, and not one has been left to the unfortunate uncovenanted service in Bengal, and it is upon that service particularly that the depreciation in the rupee, and therefore in their salaries and *pensions* falls so heavily.

When the senior officers cannot afford to take even the small amount of leave that they can claim, the juniors are also debarred from it, as promotion is checked. Regular promotion is heart-breakingly slow, and the chance of a few months now and again of officiating promotion was something to look forward to, and helped towards the large amount necessary to take an officer home; the hope of being able to go home and see his children, or his home folks, and of regaining a portion of his lost strength and energy, was dear to every European; and the knowledge that his children were safe out of the country—away from the evil effects of being brought up in this land of dirt and heat, fever and sickness, untruthfulness and degrading immorality—consoled him for years of separation from them and from his wife. Now it is a matter of difficulty to send the children home at all; in fact, is a matter of impossibility with many, and the hope of rejoining them if they are sent, fades away before the melancholy fact that the rupee is worth one shilling-and-five-pence halfpenny only.

It takes the heart out of a man to plod on year after year without promotion, or the hope of it, without the change and rest that he requires, and has earned, and more than all, without the means of sending his sons and daughters out of the country. "Overpaid":—will you be good enough, my dear Sir, before you repeat your clever and telling remarks, to turn over a few more pages of that nice new Indian Civil List you have been dipping into. Turn on—past the list of covenanted officers, they are well, even highly, paid, but ought they not to be so? They earn their money fairly, and live a life, or have lived it in their time, such as your cheerful friends, the Globetrotters, who pay India a visit of a few weeks in the prime of the cold weather with well lined pockets, would not endure for six months, much less for six years.

Turn past that list; and look at the others, and then at that almost unintelligible fellow book, "The Leave and Pension

Rules." There you will see how men who have served Government for over 24 years, who occupy posts of great trust, whose position demands that they should be thoroughly efficient officers, and who have had to pass numerous examinations to fit them for that position, are drawing from Rs. 600 to Rs. 700 a month (some few only being able to reach the magnificent sum of Rs. 1,000) and have had, or could have had, only three years' furlough, all of which counts against their service for pension, and that they must serve ten or twelve years more, according to the amount of leave they have taken, before they can retire on an *indefinite* pension. The pension may be indefinitely small, but cannot be more, under the most favorable and unexceptional circumstances, than Rs. 5,000, or at the present rate of exchange £369-15-10 per annum.

With the present slow rate of promotion many men know that they cannot reach the higher grades before they are 55 years old, and that, consequently, their pensions will be very small. In Europe a man is in his prime at 55; in India he is considered past work and is made to retire. This points very plainly to the fact that men age much more rapidly in India than in Europe; that the wear and tear of Indian official life is such, that at 55 a man is worn out and useless. The idea that all Anglo-Indians live in clover, and lead a life of luxury and idleness, is so deeply rooted, that nothing but a personal experience of the country will ever uproot it. It would be well, if a few of the believers in that doctrine would come out here and live amongst us for eight or ten years.

I would rejoice at their misery; and the thermometer being at 100°, would take down with infinite pleasure every remark that fell from them, note every groan, and record every sigh. What pleasure it would afford us, the unfortunate dwellers in this land of supposed luxuries, to see a few of that objectionable species, the Globetrotter, compelled to remain here a few years—instead of trolling off at the first breath of the warm weather—without the means of replenishing his purse, except with a hardly-earned salary of from Rs. 500 to 800 a month, minus the Income Tax; minus a subscription to a Pension Fund; minus a regular home remittance for a few children in England, and minus the hope of getting out of the country until he has saved enough to go home. The sprightly visitor who, having spent a few weeks in the very pleasantest part of the cold weather, in the very pleasantest manner imaginable, in some of the largest and most accessible stations, and has been amply provided with everything his heart could desire—from iced fruit, to a shot at a tiger—calmly expresses his surprise at the ridiculous stories that are told of the trying climate, heat, discomfort, &c., of India, and expresses his entire approval

of the whole thing ; talks of the perfect climate ; the first rate shooting ; the jolly life ; and then takes his departure before he has had even a glimpse of the reverse side of the picture.

He is correct enough in his opinion of the country as far as he has seen it. If we could have the cold weather all the year round, all our troubles would vanish into thin air. The climate, during three months, is perfect, and if it lasted the same for even eight months out of the twelve, there would be a grand lifting of the clouds of trouble and discontent that hang over hundreds of Anglo-Indians. Wives could remain with their husbands, children with their parents ; there would be no heavy home remittances to eat up the larger part of a man's pay ; no pale little faces pleading eloquently for a healthier home, which has to be withheld from them for want of the necessary funds—but what does the cold weather visitor know of all that ? He never stays until the thermometer is at 100° or even at 90° He sees nothing of the inner life of the ordinary Anglo-Indian. His acquaintances are probably amongst the upper five hundred who shew him the gilded side of the gingerbread, who consider a yearly visit to the hills a matter of course, and who are placed beyond all sordid consideration of the expense of an occasional trip to Europe when their health or inclination makes it desirable.

It is not from them that he will learn any of the troubles of Indian life. Let him spend even one hot season with a hard-working man, who lives away in some remote district ; let him take that man's place, do his work, take his responsibilities upon himself, and be spared none of the worries of ordinary every-day life, and he would not converse so lightly about "the perfect climate" "the luxuries of Indian life," etc., etc—but he would certainly speak more feelingly, and perhaps I may be forgiven, if I say more truthfully, on the subject. I would have him spared none of the discomforts of Mofussil life. He should return to England with a clearer and more accurate idea of what India really is than any of his numerous confrères, and he would find, to his disgust, that no one believed him.

Do the upper five hundred, who flee away to Simla at the first approach of the hot weather, ever consider what the remainder have to endure ; men of their own class, their own nationality, their own service.

The vexed question of the annual flight to Simla will probably never be settled satisfactorily, but one thing is certain, we should all go if we could. There may be a good deal of the fox and the grapes in the outcry against the iniquity of the exodus of the upper five hundred, and reason suggests that our rulers can do their duty more thoroughly at Simla than in Calcutta, when the thermometer is at 100°. No one can work so

well in the evervating heat of the plains, as in the cool, fresh atmosphere of Simla or Darjeeling, and if five hundred lucky individuals can escape the former and enjoy the latter, why should they not?

The unfortunate part of it is, that they lose sympathy with their less fortunate fellow creatures. They fail to realize the disadvantage of having to live in a state of heat that is enough to soften the brain, and carry out the multitudinous orders that are issued from a place where heat-apoplexy and jungle fever are unknown. It is so easy to sit in a cool office and sketch elaborate plans for others to carry out; so easy to lay burdens on the backs of others, and so difficult to realize that the burden that was sufficiently heavy in January is unbearable in June.

Do we ever realize in the cold weather what our requirements for the hot weather will be? Or in the hot weather that it will ever be cold enough for a blanket to be acceptable? Do we not often buy things in Europe thinking them to be delightfully cool and light, and find them altogether too heavy and warm when we return to India? Do our home tailors and dressmakers comprehend and carry out our orders for "the lightest possible make of coats, or dresses?" To them it appears impossible that a few extra ounces of lining or padding can make any difference; they have not to wear the garments they make, and do not know what it is to carry a few extra ounces when the thermometer is above 95°.

Our rulers, and semi-rulers, and demi-semi rulers, add a few ounces, and still a few more ounces, and a few pounds, and a few hundredweight of extra work to their officers, without considering that they already have as much to do as they get through satisfactorily. Even the non-official Anglo-Indian is not spared. The Assam tea-planter is now obliged to furnish reports to Government. The tea-garden coolies must not be overworked, they must be carefully cared for and looked after: if they work overtime they are well paid for it, so that they often get paid Rs. 20 in the month, although, their actual pay may be only Rs. 5, and in a few years they return to their country with, what is for them, a considerable sum of money.

The necessity for an occasional rest from labor was recognised at the Creation. The natives of India evidently consider it necessary that there should be many days of rest, for their holidays are very frequent. That Europeans also require a holiday occasionally is evident, and has been provided for by the allowance of one month's privilege leave in the year, and a liberal allowance of furlough to members of the covenanted civil service. The injustice and hardship that uncovenanted officers, of pure European birth, suffer with regard to their furlough and pensions is a very sore subject with them.

Every day spent on leave adds a day more to their service. The doctors order change and rest, but they must wait eight years before they can get it, unless they can afford to take sick leave, and then they fear to take it, knowing that they will have to pay for it by serving on, when after 30 years' service they might retire, if they had no leave to make up for by extra years of service.

It is very hard for Europeans to give up the hope of being able to send their children home to be educated and brought up in a pure and healthy atmosphere; to see them growing up without any moral or physical backbone, with a hundred little tricks and ways that bespeak the want of healthy home-life and training. It is hard to give up the hope of being able to return to the old country for that one precious year, that has been as a beacon to them through the dreary monotony of everyday life; it is doubly hard to see the clouds close in on every side, and have nothing to look forward to but years of the same weary treadmill of work and discomfort, without any break, and with the prospect of a pension at the end of their service, that is less than that of hundreds of army and navy men, who have spent a fair proportion of their lives in Europe, and who have been able to give their children the advantages of a good education in their own country, without having their resources crippled by losing a quarter of their income by exchange.

How is it possible, under the present circumstances, for the members of the uncovenanted service to be content? The darker the prospect the more is expected of them, and many have lost heart in their work altogether, feeling that it is impossible to perform satisfactorily all that is required of them, without wearing out body and mind to no purpose. A man may be too honest to scamp his work, but yet have no spirit or energy to put into it.

In this time of difficulty and depression, the concessions that have repeatedly been petitioned for, and which have been granted to a favored few, would be especially welcome. New life and spirit would be infused into a service that has been acknowledged to be a thoroughly useful and hardworking one and the discontent and despondency that now prevails would disappear. Without hope life is very dreary; let us hope therefore that the clouds will break, and some much-needed concessions be made to those who can claim to have earned them by many years of honest work.

ART. VIII.—THE RACES, RELIGIONS AND
LANGUAGES OF INDIA, AS DISCLOSED
BY THE CENSUS OF 1881.

JUST forty years ago, in March 1846, in the tenth Number of the *Calcutta Review*, which was then in its youth, I despatched from the camp of Viscount Hardinge, the Governor-General, in front of Lahore, which had just been captured, my first contribution to this *Review*, on the subject of the "Countries betwixt the Satlaj and the Jamna." This is about the fortieth paper that I have since contributed, on many and various subjects, in many parts of the world, but I return, after that long interval, with undiminished love to the object of my earliest interest—the people of India. We seem to touch ground at last, and the Census of 1881, though it leaves much to be desired, is a decided advance.

England holds India, as a man would hold a wolf, by its two ears, and must hold on for dear life: it would be dangerous to let go, as the wolf might turn and rend. But the wolf must get free soon, or at any rate, will wake up, and make demands. When such wretched countries as Servia and Bulgaria, which, in the long lapse of centuries, have never done anything worth recording, or recorded anything worth doing, are crying out for constitutions, is it likely that India, which has filled such a grand place in history, and to which the world is so largely indebted, will tolerate her position much longer; though it is possible, that the boon which she may desire, will not prove to be a real advantage? It is an unwise thing to go on rowing back, with your back to the point which you are labouring to reach. Those, who have their hands on the oar, dare not look back, or forward: it is as much as they can do to keep the vessel in motion and steady. Let some of those, who have watched India for nearly half a century, try to bring out the salient facts, and raise the cry of warning to the Rulers and the Ruled.

Before the census commenced, I ventured to urge upon the authorities, that the attention of those employed in this duty should be called to the shortcomings of their predecessors. It was most desirable that the Census should exhibit the remarkable social phenomena of the Indian Empire represented by religion, caste or tribe, and language in the fullest and most uniform detail. No other country can exhibit such a remarkable picture, and no Government, save that of British

India, would have the power, or will, to delineate it with photographic accuracy. The Religions should be classified under the recognized names of the great cults, and the sects ranged under them: on the other hand persons of totally different persuasion should not be lumped together. To place the millions of Chamars, Lingites, and the Non-Aryan Nature-worshippers under the general head of Hindu, is as grimly ironical as to class an Anabaptist as a Roman Catholic. Caste should be treated as a *Social, and not a Religious* phenomena: it may be that among the lower classes all practical religious conceptions are reduced to the necessity of not breaking caste rules, but a Rajput is a Rajput by caste, whether he be Hindu or Mahometan. The analogue of the caste among the Hindus, is the tribe among the Mahometans. Again, among the Hindus, there are castes, like those of the Brahmin, which are historical and racial, but there are also castes, like those of the goldsmith, or sweetmeat seller, or agriculturist, which are clearly only business distinctions, trade-unions, or guilds such as are found all over the world. A pseudo-caste may, from the very atmosphere of Indian society, have crept in among Mahometans, the non-Aryan races, the Buddhist, Jain, Parsi, Armenian, and Eurasian-Christian population but the term 'out-caste' should never appear on a State document, nor should any excuse be given to a Court of Justice to compel a non-Christian to record the name of his hereditary caste, which he has solemnly abjured. If the government of a country were to assume that caste were the rule, and the absence of caste the exception, a great act of injustice would be done to the millions who would be described in the form of a negation, and, in a Court of Justice, are thus exposed to insult. Then, again, the great castes, such as the Brahman, which counts thirteen million, have numberless subdivisions, or Gotra: if these are stated, they should not be called castes, but subdivisions of castes, and the same caste should bear the same name all over India: a Brahman should not be called here and there by the name of Pundit, Purohit, Misr, Pujári, &c., &c.

I begged also that the important subject of language might be carefully attended to, important both to the administrative and educational departments. It is suggestive of frightful injustice, if the Courts of Justice from sheer ignorance should not be supplied with officials capable of speaking the vernacular of the people. This shoe does not pinch in the great country of Hindustan, where eighty millions speak dialects of the same great language Hindi; nor in Bengal proper, or Marahtha-land, but in Southern India, Assam, and Burma, it is a real difficulty. Great injustice might be committed,

and the nature of grievances, which may have led to a rising, would not be understood : a few quiet words will often allay a tumult among well-intentioned but ignorant people. There should be a language-map of each province, coloured so as to shew what particular languages, or dialectal variations are spoken by the bulk of the population, and where ten or more are spoken, or a compound of two adjoining languages on a debateable frontier. This is a difficulty which the Russian, Austrian, and Turkish Governments have to face, and it must be faced manfully.

The general report for the whole Indian Empire was compiled by an accomplished official of great and unequalled experience in statistics, and it has been submitted to the public, and is the basis of our present remarks. It was the first synchronous enumeration which was attempted of the whole of India under the orders of the Government of India. The area operated upon excluded the petty Indian possessions of France and Portugal, and the Kingdom of Kashmir and Nepal, but it included British Burma, and the great Feudatory States of India, which owe allegiance to the Empress of India. In addition to the eight recognized Provinces of British India, three provinces must be added, under management by treaty, *vis.*, Berar, Kurg, and Ajmir. The Native States were grouped as follow : Rajputana, Central India, the Nizam's Dominions, Maisor, Baroda, Travancore, Cochin : all these are under the direct supervision of the Government of India : the Native States, under the control of the authorities of each Province, were enumerated in the population of that Province.

The entire population of British India on the 17th February 1881, amounted to 253,891,821. It was thus distributed among the Provinces under direct administration of the English officials, and the Native Feudatory States :—

CLASS I.

Bengal	...	...	69,530,861
North-West Provinces	...	...	44,849,619
Madras	...	...	31,170,631
Bombay	...	...	23,395,663
Panjáb	...	...	22,712,120
Central Provinces	...	...	11,548,511
Assam	...	...	4,881,420
British Burma	...	...	3,736,771
Berar	...	...	2,672,673
Ajmir	...	...	460,722
Kurg	...	...	178,302

CLASS II.

Rajputána	...	...	10,268,392
Nizam's Dominions	...	...	9,845,594
Central India	...	...	9,261,907
Maisúr	...	...	4,186,188
Travancore	...	...	2,401,158
Baroda	...	...	2,185,005
Cochin	...	...	600,278

The area of British India amounts to 1,382,624 square miles. The average for the whole Empire is 184 souls to the square mile, but a vast area is entirely devoid of population, and the density in many places rises above 700 to the square mile, reaching its highest at 1,335 in the Howrah Division of Bengal. The province of Independent Burma, annexed to the Empire of India in 1886, is, of course, not included in this total.

The inspection of such an awful collection of mortal souls, totally replaced by the ordinary course of mortality, in the term of about seventy year, but replaced like the ever changing water of a great river, by mortals of the same type, race, customs, religion, and language, is indeed one of unparalleled interest, and can be considered from a great many points of view. It is a notable fact, that there are twenty-one million widows, and 13,200 lepers: the love of statistics might produce several strange phenomena: the compiler of social customs would come upon many strange facts, such as polygamy, polyandry, and the "throwing the sheet over the widow of the elder brother," the systematic killing of female progeny, the eunuchs and dancing girls, and professional beggars. Add to this the strange variety of the mode of disposing of the dead by burning, burying, exposure to wild animals, scattering the ashes in a river, storing them up in metal or fictile receptacles, or sometimes keeping the body itself smoke-dried. In fact, there is no limit to the vagaries of human caprice, and nowhere can a study be made of more widely collected and correctly assorted materials, but our consideration is for the present restricted to the three great salient features of an Indian population: Race, Religion and Language, leaving to others to study the proportion of the sexes, in itself a wonderful problem: the rates of mortality and births: the tables of longevity: the number of afflicted with natural or acquired infirmities, the progress of education, the proportion of rural to urban population, the variety of occupation; the ebbing and flowing of emigration, either within the boundaries of British India, or beyond the seas; and the pressure of population on the means of existence. All these are things which the wise rulers of men ought to

know, and this justifies the great expense of a Census, and the perturbation caused to some classes of the community by the operation.

Race must come first. Kaltbrunner defines the comparative value placed by an ethnologist upon evidence derived from the physical features of race, and that from religion or language : the first is innate, inherent, independent of the will, and at least for the individual, is incapable of change. A negro can, and does, change his religion, language and country, but is still a negro, and it would take many generations to efface the trace of a Negro ancestor. I think that it may safely be stated that in the length and breadth of British India there is neither negro, negrito, or negrillo, indigenous to the country. Negrito are no doubt found in the islands of the Indian Archipelago, and there may be aliens of African origin domiciled in India. Exclusive of the Albino, who is only a freak of nature, no one who has lived among the people of India, can have failed to be struck by the strange variety of colour, and stature, and character of the individuals, suggestion to the most casual observer, of a distinction of race, though all may be Hindu, and all speak the same language. A long continuous custom of only marrying within certain restricted limitations has prevented that fusion of the population which has insensibly taken place during the lapse of centuries in European countries. In Europe the strata of society are horizontal, dependent on hereditary advantages, or personal success. In India they are vertical : a Brahmin may be a sacrificial priest, a chief, a high officer of state, a soldier, a cook, an office-messenger, or a mendicant, but he is still a Brahmin.

The theories (for they are only theories) with regard to the occupation of India by its present population, are well known, and are settling down to a recognition of an aboriginal, or at any rate, primeval population, overrun by immigrants from the North-East along the valley of the Brahmaputra, from the North-West by the Bholan Pass, and the Kaibar Pass. This, in a general way, will account for the Tibeto-Burman, the Kolarian, the Dravidian, and the Arian subdivisions. Whatever may be the theory, the fact of their existence, with very distinct differentiations is palpable, and the great peculiar Indian custom of caste is based primarily on those distinctions. Over and over again has the attempt been made by the lower strata of caste to do away with the custom. All religious reformers, the Kabirpanthi, the Sikh, the Buddhist, and the less well-known sectarians, have raised their hands against caste, but without much profit as regards India proper ; in Burma it is so totally non-existent, that the local reporter of the Census has no allusion to the subject.

The reports of Mr. Baines in Bombay, and Mr. Ibbetson in the Panjab, the separate compendium of castes and tribes published by Mr. Kitts, and the list of caste names in Tamil, Telegu, Kanarese and Malayalin in Madras, are important contributions to the subject. Many essays have appeared from time to time in local periodicals, and the labours of General Cunningham in his Reports of the Archæological Survey of India, and of Dr. Hunter in his Gazetteer of India, have thrown a flood of light upon the subject. The volume of Mr. Kitts is peculiarly valuable, as being the latest (1885), and based upon the facts collected in the Census of 1881, and compiled by one who had taken a share in that operation. The compiler of the general report excuses his shortcomings by pleading that he had not antiquarian tastes, and the peculiar knowledge which would alone permit of a full and enlightened discussion of the returns; but it is manifest, that any one of the three subordinates mentioned above, were fully capable of manipulating the collected material, as, indeed, Mr. Kitts has actually done. In his introduction, the author remarks that the subject has been hitherto a mighty maze without a plan: different names in different languages, differently transliterated, shrouded from correct classification, identical castes. In some cases the identity was obvious, in others, had to be cautiously ascertained. In Mr. Kitts' list No. 1 of castes, each numbering one thousand individuals and upwards, and list No. 2, showing the remainder of ascertained castes, these are no less than 1,929 entries. This number may be susceptible of reduction after microscopic examination, but very possibly may have to be enlarged. There are no less than forty-seven castes, which number more than one million, and of these twenty-one, each contains two millions and upwards; there are thirteen millions of Brahmins: eleven millions of Chumars, "or workers in leather," and twelve millions of Kunbi, the agriculturists of Southern India. These castes would take up the position of large nations in Europe: the three together equal the population of the British Isles: they are but items in the account of British India. Of Rajputs, there are eight and a half millions; of Bania, or shopkeepers, four millions; of Apir, or herdsmen, nine millions. Of Jat, the well-known agriculturists of the Panjab, there are four millions: of the Teli, or dealers in oil, there are three and a half millions. These astounding numbers give rise to deep reflection.

Mr. Kitts affirms, on the substantial data of the Census, a fact which has been loudly and long asserted by all who are well acquainted with the Indian people, that *caste is not necessarily conterminous with religion*. Among the one hundred and eighty-five largest castes in the Panjab, there are only forty-three, the members of which all belong to the same religious sect.

In Bombay and Berar, members of the same caste are found to be Jain, or Hindu. Neo-Mahometans retain with pride their old caste names, notably the Rajputs, and it is quite possible and reasonable, that a Neo-Christian will do the same. In all cases, where the individual has an obscure or discreditable connection and origin, the Neo-Mahometan is glad to start a new career as a Shaikh, and the Neo-Christian as a Nasári ; but not otherwise.

Mr. Ibbetson, in his admirable and exhaustive essay on Caste in the Panjab, swept away the illusion (1) that *Caste is an institution of the Hindu religion* and wholly peculiar to that religion ; (2) that it consists of the old powerful classification of Manu ; (3) that it is perpetual and immutable. The real state of the case is fully and fairly stated by him, (and I entirely agree with him) in that it is *a social* rather than a *religious* institution, and has no necessary connection whatever with the Hindu religion, as is proved by the fact that conversion from Hinduism to Mahometanism, in ninety cases out of a hundred, has not the slightest effect upon a man's caste. The Sanscrit legends tell us in great detail how one famous man was able to alter his caste : as a fact, it is notorious in the country side, how certain well-to-do merchants of a low caste manage gradually to grow into a higher one, and this has passed into a proverb. Nor are the rules of caste the same. Some Brahmins will not consort with, eat with, or marry with, other Brahmins ; while on the other hand, all the Brahmins of the Panjab known as the Saraswat, eat with the Khatris, and sometimes a man of another caste has by custom crept into this privilege also by tacit permission. I have known instances.

Community of occupation is quite as much the basis of caste as community of origin. Manu's four-fold division of priest, warrior, merchant, and the common herd, indicates this. The custom of Oriental countries is to make occupation hereditary, and this feeling is strengthened by the absence of education, the difficulty of locomotion, and the paucity of varieties of occupation in a community with simple wants : as betrothals and marriage always took place in the infancy of the parties according to the arrangements of the parents, and not the fancy of the individual, they were always strictly endogamous. The nobles of France and Spain became a caste, because they always intermarried among each other ; the nobles of England never became a caste, as they enjoyed full liberty of selection from the families of their neighbours of lower degree. It was with the object of checking, once for all, the dangerous tendency of the office of priest becoming hereditary in Levitical families, that led the Pope to impose celibacy upon the Romist clergy ; it has so far succeeded, but any interference with the

fundamental law of the human race, bring with it counter-vailing evils.

The lower the caste, the more trouble is caused by caste-assertion. In the North of India we hear little about it. The railways, the roads, the schools, the ferries, the choice of employment, the courts of justice, are open to all without any distinction. Some classes of the community may avoid the touch of other classes, just as we do of a sweep, but the law would not tolerate any overt act of offensive caste rules, such as used to prevail in South India, where women of some castes were not allowed to wear a cloth above the waist, and in the public road, the so-called low caste had to stand aside to let the high caste pass. Eight hundred years of Mahometan domination, followed by a century of English rule, has got rid of this kind of nonsense. In South India all the castes were extremely low: the Sudra counted high, on the principle of a one-eyed man being king among the blind, but beneath the Hinduized Dravidian were several strata of pagan Dravidian Devil-worshippers, men of obscene habits, and low occupations. Many of these have become Christians, and regarded it as a step in social life; and no doubt it is so, when accompanied by education, and the adoption of a higher morality, and a more decent mode of life, and they have a perfect right to elevate themselves.

The missionary will persist in denunciations of caste, and asserting that it is the great impediment to conversion. He does not reflect that there is no caste in Burma, or the Southern portion of Ceylon and China, Japan, and the rest of the world, except India, but there are equally great obstacles to his operations there also. Everybody must have something to abuse, and that something is generally one, the nature of which is not understood. The Chinese missionary has no caste, so he fastens upon the opium trade. The African missionary has a more real grievance in cannibalism, lawlessness, and sorcery. Of course, in one sense, caste has the nature of religion, in its original sense, as "*something that binds fast*." The Hindu religion, consisting exclusively of ritual of the most trivial character, with the ordinary common herd is reduced to a mere name. A Hindu becomes a Roman Catholic with the slightest effort, and passes from one empty ritual into another without any strain of conscience. Whatever did survive of the religious element was, the desire so to conform to the custom of his friends and relations, as to be able to eat with them, smoke with them, and get a wife from their families. This he would call his caste, or *dharma*. So among worldly men in Europe, honesty and honour take the place of the religious element. They neither enter a church, or repeat a prayer, or care for a future state, but they wish to be treated conventionally as

Christians, and not to be excluded from the good fellowship of their equals. This is their religion, at least, all that has survived of it. It ill becomes an English missionary to press the subject too closely, as he would naturally object to taking his meals with the converted sweeper, and would shrink from giving his daughter, brought up carefully in England, in marriage to the pious and trusted Native pastor, whom he loves as his friend. He insensibly, and rightly, and naturally, recognizes that there is *an indelible distinction of race*; not that one race is intrinsically better than the other, when both are equally educated and virtuous, but that they are different, and not intended to intermix without leading to inconveniences. This quite justifies him in setting his face against caste pride offensively exhibited in the school, the church, or in public life, but in the privacy of his home, the Neo-Christian has a right, in which the law will protect him to marry into such families only as appear to him proper, and to decline to sit down to meals with men of different culture, habits, and ideas of personal cleanliness.

What is now required is a carefully and scientifically edited dictionary or gazetteer of the castes, and tribes, and social distinctions of British India, arranged alphabetically under the leading name, but carefully giving all the synonyms, and alternative names, carefully transliterated in the Roman character, and given also in the local Indian character. It is an idle war to fight against caste which exists in the atmosphere of India. The English is but an additional caste to the previously existing catalogue. There are also many compensating advantages. All secret societies of a dangerous political character, are impossible in a population which is honeycombed with deep, though innocent, fissures: the panchayet of the caste is a welcome and powerful ally to a just ruler: the old Roman proverb applies—*Divide et impera*. Difference of religion and language, great as they are, are scarcely so operative as difference of caste. Then, again, the necessity of a general poor law to relieve the indigent is obviated by the existence of caste. The respectability of a community is maintained by the enforcement of wise caste rules: they are felt, though not written, by Europeans in their own country. The English Government has steadily ignored caste, as far as the administration of public affairs is concerned, but respected the private rights of every class of its subjects, and the Civil Courts will give a remedy for any wanton outrage of the feelings of the meanest of its subjects; while, on the other hand any attempt to monopolise the use of wells, or other places of public convenience, or to place any section of the community under a ban, causing injury to person or property, is sternly repressed.

I pass on to the subject of Religion :—

The following table shows the distribution of the population according to Religions. They are arranged according to the chronological order in which they appeared in India, and in even hundreds :—

			Rs.
A	Pagan, or Nature-worshippers	...	6,628,000
B	Hindu, or Brahmanical	...	192,604,000
C	Buddhist and Jain	...	4,640,000
D	Mahometan	...	50,000,000
E	Fire-worshipper	...	85,000
F	Jew	...	12,000
G	Christian	...	1,861,000
H	Brahmo	...	1,000

It is a solemn consideration that this multitude of multitudes have been passing on from generation to generation (ever since the time of Alexander the Great as a historical certainty, and for an unfathomable period previously) from the cradle to the grave, each class of religionist along his own groove of convictions for this life, his ritual, and his ideas of the future, and, with the exception of the few scores of intelligent Protestant converts, without the slightest ability to give and account for the faith that was in them, and without the faintest desire to inquire whether it was right or wrong. On the first aspect of the subject, it would seem as if Religion was an empty form, a delusion; and yet it is not so, for many would give up their lives readily to maintain their so-called religious convictions, and morality is not totally dissociated from the religious conception: and it may be said generally, though sadly, that it is better for the welfare of the immortal soul, and the purity of the mortal body, that a man should be a Hindu, a Buddhist, a Fireworshipper and a Mahometan, than be a sceptic, an unbeliever, an agnostic, or an atheist. In the one case there is the desire, though imperfectly displayed, to acknowledge the Supreme Ruler of the Universe, and bow humbly before him: in the latter there is naught but an arrogant reliance on self, and a soul and conscience lulled into a fatal sleep, calling to our recollection that sin, which can never be forgiven in this world or the next.

The enumerators of the Census, followed by the reporters, enter separately the Sikh, the Satnami, and the Kumbhipathia, but they have now been included under the general term of Hindu. The Nat-worshippers, and the "unspecified" have been included under the general term Nature-worshipper, and the Buddhist and Jain have been lumped together. There was a great difficulty in getting people to state their religious faith. No doubt the present return is only an approximation to the

truth, but it is a sufficient one. The more accurately denned the religion, the more easily can the followers be enumerated. Thus, the returns of all, with the exception of the Hindu and Nature-worshipper, can fairly be relied upon. These two last are surrounded with uncertainties.

Let us first consider the pagans or Nature-Worshippers. It is necessary to have studied the circumstance of the population of Africa, America, and Oceania, to realise upon what a far higher platform of culture the people of Asia stand. If it has been decided, and rightly decided, that to the greater part of the African, American, and Oceania populations the term "savage" cannot justly be applied, and that the term "barbarous" is more suitable, when we come to consider the people of India, we feel that the term "barbarous" does not apply to any portion of the population, with the exception of the Nature-worshippers, and not to all of them. The rest may be poor, degraded, uneducated, yet they are in possession of an ancient culture, not, indeed, a high culture, but one that is essentially Oriental. Some distinguished writers, such as Tyler and Lubbock, have written upon this subject of Primitive Man, and the museums of Europe supply evidence that marks the progress upwards.

Those who had charge of the Indian Census seem to have had no independent knowledge of this subject, and this is the weak side of the Report. The history of the Arian invasion of Northern India is well known. Hindus advanced from the direction of the Hindu Kush across the mountains, and occupying the Punjab, where the groundwork of Aryan polity was fixed and the Veda written, they pushed down the valleys of the rivers Ganges and Indus to the sea which is mentioned in the Veda, and across the Vindhya Range into Maharastra, but they found the country already occupied by darker and less cultured tribes, represented, to the present time, by the Non-Arian races of the Dravidian, Kolarian and Tibeto-Burman. Now, many of these have been Hinduized, and therefore, from the point of view of Religion, are correctly entered as Hindu. But these races may be divided into another category. Part of these non-Arian races retired before the invaders into impenetrable mountains and forests, and there maintained a rude independence and individuality, but a portion were overrun, and came under the domination of the invaders, and became hewers of wood and drawers of water, helot and servile races, discharging certain duties in every village and town of a very necessary character, but not blended with the superior race, and never admitted to their religion. Of these helot races the Chumars are a notable instance, who count as many as eleven millions, and ought never to be reckoned as Hindu. According

to this view, the return of the *Nat*-worshippers, and it will be found that the number of *Nat*-worshippers far exceeds the six millions of *Bhút*-worshippers. This is a branch of the subject which will require notice at the next Census, and the return should be made by one who is an adept in anthropological statistics. There is no reason why the phenomena recorded should not be arranged to order, and it may be found possible to divide them according to their peculiar beliefs, deities, and sub-groups. It must, however, be recollected, that the aboriginal races are slowly passing under a process of assimilation with their more powerful neighbours. In the Punjab, Bengal, millions have adopted the faith of Mahomet, and in the Central Provinces there is a tendency to Hinduism, and in Burma the attraction is to Buddhism. The *Nat*-worshippers will be a non-Arian, notwithstanding that they have been admitted into one of the lower strata of the Brahminical fold, and have adopted the Arian language of Orissa. Education and administrative arrangements may unintentionally accelerate this process, though for the sake of the stability of the English Empire in India, it is to be deprecated. As long as race is the leading feature, any combined action of the different units of the population to form a nationality is impossible, but when the dominant religion and language have been adopted, the feature of race falls to the background, and populations sometimes gravitate together by the more demonstrative links of localities and language. The chances are, however, against the phenomenon in India for many centuries.

The Census returns exhibit the *Nat*-worshippers as a separate item: they are recorded only in British Burma, and it was illogical to record them as a main subdivision; they stand on the same platform with the *Bhút*-worshippers of Southern India, and are but a species of Nature-worship. *Nats*, are spirits supposed to inhabit natural objects, celestial and terrestrial, and to interfere freely in the affairs of man. Some are evil, and their ill-will has to be propitiated by offerings of plantains, cocoanuts, fowls, or other such gifts. Some are kind, and their favour has to be secured. This belief has remained underlying the creed of Buddha: many Karen, and wild tribes, call themselves Buddhist, though in reality they cling to their old conceptions of animate Nature. It is the same feeling that gave birth to the beautiful visions of the Greeks and Romans, peopling the hills, and the groves, and the streams, with nymphs and satyrs. The same feeling has transformed itself into the worship of local saints in the Roman Catholic Church, and, in another form, the fairy and the sprite have dwelt in the fancy of the English rustic up

to this century. As was to be expected, the cold, hopeless, passionless form of a theistic morality was not adapted to the ignorant, degraded, yet excitable oriental races of the Indo-Gangetic peninsula, without a large admixture of the follies and extravagancies of Nature-worship, which clung to the skirts of its clothing. The mind of man cannot get free of anthropomorphic conceptions, and cannot get beyond its own intellectual environments. We shall find this phenomenon more distinctly exhibited when we come to treat of the far purer, and more exalted, tenets of the Mahometan monotheism.

But the reflex effect of the Pagan cults has been felt upon the Brahmanical conception and ritual: hence comes the worship of local shins, like the lofty hill of Naini Devi, of the naptha fires at Jwala-Mukhi, and the floating rock in the lake at Mundi, all in the Panjab. There are local objects of pilgrimage elsewhere, where the priests in charge are not Brahmins, and yet they are frequented by devout Hindus. On the other hand, the non-Arian races, as they advanced in culture, had a tendency to establish places and ritual of worship, and to secure the services of the lower class of Brahmins to officiate, just as we read in the Old Testament of the non-Hebrew settlers in Palestine securing a Levite to establish a ritual for their Teraphins. There is a fashion in religious cults, as in many other matters. In the South of India we hear of ghost-worshipping, and devil-worshipping; the Brahmanical religion did not extend to the same classes more than in name. The husk of Hinduism has not hardened round them, and hence we find that the spread of the Christian religion has been more extensive there than anywhere else. In the Central Provinces the Santals and Koles were equally outside of the Hindu fold, and the English Government is not restricted from the reasonable encouragement of the missionaries to civilize and convert such pagan tribes, as their pledges of religious neutrality are solely to the Hindu and Mahometan.

The Chumars have been already alluded to, and to these may be added a legion of names of the same nondescript class, and so-called out-castes; they eat dead animals, the idea of which is enough to make a good Hindu crazy. I once came suddenly upon the Ganges at Benares in my evening walk, and found a party of these gentry cutting up a dead horse, with all the gusto which is credited to the African in the books of travellers, when an elephant, or a hippopotamus, or a rhinoceros, or an English traveller is killed. The greatest difference occur in the disposal of the dead. The Chumars carry their dead on biers calling out—

Tu hi hai ; tain ne paida kia ; aur tainne maria.

"There is but Thou: Thou hast given, and Thou hast taken away." This shows that in this particular, at least; they have got to the root of the matter.

We pass on to the Hindus. On the subject of the Brahmanical religion profound books have been written, but they all fail entirely to convey the faintest idea of the religion so-called, but actually practised. They describe Hinduism as it ought to be, or as at some remote and imaginary period it once was, and as some educated Brahmans still try, or pretend, to practice it. The remarks of the Continental scholar, who has never visited India, on the subject of the Brahman, the ritual, and the temple, seems to one who has lived among the people quite ridiculous. To him the officiating priest seems to be a learned and devout ecclesiastic; to the ordinary Anglo-Indian the same individual appears as a dirty, uninteresting, naked native. The esoteric doctrines play a very small part, indeed, in the daily belief of the masses. All is centered in ritual, and one member of the family does all that is required. In fact, the modern form of Hinduism is extremely material, debased by the contact of Mahometanism, by the absorption of the deities of the pagans, by the worship of household and village godlings, by a low kind of fetichism, by adoration of plagues, like "The small-pox," of the sainted dead of ancestors, the malevolent dead, by the use of charity, divination, and exorcism, and by the wildest superstitions and rites; add to this an unbounded variety of practice by different castes in different localities.

It is not clear why the compilers excluded the Sikhs or Jains of the Panjab from the Hindu family: they would be much surprised to find that they were not deemed Hindus. The Sikhs are certainly Hindus, and becomes a Sikh by taking the Pahul, and submitting to certain customs, such as never shaving or smoking tobacco. In its later development, it was essentially a political movement of the lower classes: none of the higher castes became Sikhs; and, now that power and prestige are gone, it must be on the decline. I lived among them many years, and learned to appreciate their manly virtues: over and above the Hindu books and ritual, they had their own sacred book, the Granth, and their own ritual. As a rule, they are essentially respectable agriculturists, with a potentiality of becoming soldiers. If credit were given to books, we should find Mahometan Sikhs. I never heard of such a thing: the Sikhs are the deadly enemies of Mahometans: whatever Nanak may have dreamt of, when he formed his community of Sikhs or "disciples," Govind founded a community of lions or "warriors."

The "Satnami" should also be included among the Hindus,

at least for the present: they are found only in the Central Provinces, and numerically do not reach half a million, and already have two irreconcilable factions in their midst. Unlike the Sikh, and the Buddhist, and the Brahmo, they have borrowed nothing from the outer world: their attempt is to reform out of their own consciousness their hereditary faith: they have obtained a glimpse of the truth, *i. e.*, the worship of the one true God—"the true name," and hatred of idols, and levelling of caste distinctions, though this last feature loses its value, when we are informed that the majority are Chumars, men with no caste, whom I have classed with Nature-worshippers; but the Satnami are something better than that, for they appear to be Hindus improving into something more exalted, not Nature-worshippers improving into becoming Hindus. Some of them have learnt to abstain from liquors and drugs, animal food, and the observance of Hindu festivals, and they hate the Hindus and the Brahmins. They have no place of worship or priesthood, and one informant tells us, that they are creating a host of deities and deified heroes. This is the old story, that pure theism is incompatible with a state of intellectual culture: they cannot see beyond the near horizon into the far distant one; they have no elevated dogma like that of Mahomet: their worldly circumstances are very bad: education is almost non-existent. As a matter of fact, the Satnami is as superstitious an idolator as the most ignorant Hindu.

The Kabirpanthi are only recorded in the Central Provinces, and are less numerous than the Satnami. Kabir was one of the disciples of the celebrated Vaishnavite reformer, Ramanand, who, in the fifteenth century of the Christian era, with great boldness, attacked both the Veda of the Hindu, and the Korán of the Mahometan. He left a sect behind him, but they never attained a political existence: he lived and died near Benáres. Nanak, the founder of the Sikh sect, was his more fortunate pupil and follower. Kabir must be classed as a reformer within the body of the Hindus, and his followers are reformed Hindus, just as much as the Wahábi are reformed Mahometans, and the Protestants are reformed Christians. The very fact that the disciples of Kabir revere him *as an incarnation of the Deity*, show that they are still Hindus. The followers of Buddha have no such delusion. The mantra of initiation with which he received his disciples is in the name of Rama, one of the Hindu avatars. We find that though theoretically there is no distinction of caste, yet each caste of the Kabirpanthi keeps very much to itself; and more than that, they intermarry with pure Hindus of the same caste: the tendency is to give up all but the mere

name. Under these circumstances the reporters of the Census were wrong in entering the Satnami as a separate heading, especially as they included the much more pronounced Chumar and Lingaite as Hindus. It is admitted by the reporters that the Kumbhipatra were entered as a separate heading wrongly, and the same error applies to the Sikh, Satnami, and Kabirpanthi.

Separated by a vast abyss of religious conception from the Hindus, is the Buddhist. Volumes have been written on the subject of this mighty movement, the very thought of which causes amazement. One of the most astounding features is, that there are not 200,000 Buddhists to be found in the whole of India, West of the Ganges, the birth place of the doctrines, where once, as evidenced by the widely-spread pillars of Asoka, it ruled supreme. In the Indo-Chinese peninsula it is the dominant religious form : there are more than four thousand Buddhist monasteries in British Burma, and the number of priests (celibate) amounts to one in every five hundred of the population. The annexation of the Kingdom of Ava, or Independent Burma, will have added largely to the number of Buddhists in the next Census. About 3,000 are enumerated in the Spiti district, in the Himalaya, in the Panjab.

I have, contrary to the enumeration of the reporters, annexed the Jain to the Buddhist. I admit there are difficulties, but, although they are often described as a sect of the Hindus, they are more akin in their religious professions to the Buddhist, and I am at this moment regarding the population from the point of view of religion. The subject has not been fully studied. The Jains have played a great part in the history of India, and left an enormous literature behind them. Rhys Davids is of opinion that the few Buddhists who were left in India at the Mahometan conquest of Kashmir, in the 12th century, preserved an ignoble existence by joining the Jain sect, and by adopting the principal tenets as to caste and ceremonial observations of the antecedent Hindu creeds. Forty-two thousand Jains are enumerated in the Panjab returns. I have come into contract with men who were said to be Jains, and at the same time were Suraozi Banya, called in vulgar parlance Agarwal. One of the chief features of their religious observances is their extreme respect for animal life, which they carry to the absurdity of keeping their mouths covered with veils to prevent the chance absorption of an insect. Two-thirds of their number are in Rajputana and the Bombay Presidency. It is to be hoped that at the next Census we shall have more accurate information on this subject.

Little need be said with regard to the fifty million of Mahometans, except to notify that their number is increasing by

the peaceful absorption of non-Arian tribes. Of the whole number not much less than half are found in the Province of Bengal, who are lax Mahometans, being in fact non-Arians, nominally converted, and known as Ferázi. In the Panjab there are ten millions, some of whom are of the stock of the original invaders, but in the time of the Great Moguls, many great tribes were by force or bribes, converted, and are Mahometans, without giving up their proud caste title of Rajput, and preserving their own Hindu customs having the force of law with regard to marriage and inheritance. One of the Rajas of a great Rajput clan in the Himalaya, is a Mahometan, and rules without prejudice over his Hindu clansmen. Many of the Indian Mahomedans would be considered very lax professors of their faith, for they sacrifice to local deities, let their wives sacrifice to Sitala, the small pox : they keep a Hindu family priest, are very lax in their prayers, and totally neglect their fasts : to some extent Hindus and Mahometans go to the same shrines : in two districts I discovered that they intermarry. There is a great deal of opportunity for a Wahabi reformer, but it is as well for the peace of the Empire that they should be as we find them. They are as much observers of caste-rules as the Hindu, and it is with a feeling of surprise, that the Englishman finds himself allowed to eat and drink with a Mahometan in Kashmir, as he is in Western Asia. One thing, however, is obvious. Under the scorching light of education, and the electric contact with other nations, Buddhism, Hinduism, Fireworship, Nature-worship, wither away, and become despised ; but this is not the case with the Mahometan ; he has nothing to be ashamed of in his tenets, if he can once understand them, and of his Koran, if he can read it in the original or translation, and act up to it. He may yet be a powerful factor in the history of India, and a fierce antagonist to the spread of Christianity.

The Fire-worshippers are Persian refugees at Bombay and on the West Coast at the time when the sword of Islam destroyed their religion in Iran : they have an Indian domicile of several generations, and have adopted an Indian language, the Gujarati, in supercession of their own ; but they keep to a limited profession of their ancestral worship. They are respectable, wealthy, enterprising, and in every respect come nearest to the English, but their number is very inconsiderable, and they will never form a factor in politics. The existence of the Jew is interesting : no doubt, like the Falasha of Abyssinia they are not, and do not pretend to be, of Semitic origin, but they are alien proselytes. They call themselves Bene Yahud, and are insignificant, and may probably disappear, having no reason for existence : they have no knowledge of Hebrew, nor

any translation of the law in their own vernacular : if they had, they could hardly convince themselves that there was any covenant to them, and their Gentile offspring. The world is full of surprises ; perhaps the existence of the Falasha and the Indian Black Jew is not the least.

The Christian population is one and three quarter millions, but the whole of the English Army, and all officers in Civil or Military employ must be deducted, being undomiciled aliens. It may be doubted whether any European British subject is domiciled. On the other hand the Syrian Christians and the Armenians belong to a period antecedent to British rule : the great majority of the Roman Catholics are merely skin-deep Christians, who have exchanged Ram Ram for Ave Maria. There remain the Eurasians, and the converts of the numerous Protestant Missions of all the Churches. These may, hereafter, be a formidable factor.

Last in the list is the youngest religious development known as the Brahmo : the numbers recorded are few, and in the report it is stated that these numbers are much understated, which seem strange, as the tenets are very distinctive, and the holders of those tenets are men of education, and not ashamed of them. It is emphatically a new religion, the result of the contact of the Christian, or at least European, civilisation with the decaying Hindu fabric. As it cannot be enumerated under the Hindu heading, which it has entirely broken with, and the Christian, which it has not attained, it must necessarily stand alone. Standing on the confines of an old and new Faith, it is a mixed religion, in the same sense as we write of a mixed language. The tendency of such a religious conception is to pass away into theism, agnosticism, or indifferentism.

It must be recollected that the calm, and even disdainful tolerance of the English Government has greatly tended to re-establish Hinduism, which had been persecuted by the Mahometans, notably by the Sikh Rulers of the Panjab. The rules of caste have been lightened, temples been built, pilgrimages of enormous distances have been facilitated for vast crowds, who formerly would have shrunk from the perils of the way : all taxes upon temples have been remitted, and, in many cases, large endowments have been left in possession. On the other hand any idea that the Hindu gods had the least power to cure evils, or inflict evils in this world, send rain, or withhold it, must have utterly passed away : the presence of the fifty millions of Mahometans, and the annually increasing Christian communities, must have removed that idea. The Egyptians of Alexandria really believed that when the Temple of Serapis was destroyed, the world would come to an end. No Hindu would believe that now with regard to Jugurnath,

or the great temple of Banáres. He likes his old ritual and is glad to keep it, and, having always been tolerant himself to every form of belief and unbelief, he appreciates the entire toleration which he enjoys.

Gradually the officers of Government have withdrawn from all connection with Hindu ceremonial: no money is given to Brahmins to pray for rain, no benefit of clergy is given to a Brahmin offender, no sanctuary is allowed in a Hindu temple. Annual processions are only so far accompanied by the Police, as to prevent molestation from Mahometans, and a breach of the peace. No Englishman falls so low as to contribute to the erection of a Hindu temple. Nautch dances connected with religious ceremonies, are falling out of fashion: the race of public officers who did not mind sitting in Durbar like merry-andrews, with sacrificial garlands round their necks, has passed away. Education is quietly sapping the whole fabric. Idolatry cannot stand the scorching glare of publicity and knowledge: Mahometanism can: there is the difference. The heat of the flame melts the one, which is based on a lie till it disappears; it refines the other, which is based upon indestructible truth: the existence of one God, all wise, and all mighty.

Passing on to the great subject of language, I cannot congratulate the compiler either on the method adopted, or the success of the compilation: in fact, it is as bad as could well be imagined. In spite of my advice communicated before the Census, no list was supplied to the local compilers of the languages and dialects which they were sure to meet, and the synonyms which would probably occur. The consequence has been a most discreditable and unprofitable return, made absolutely ridiculous by the following peculiarities:

No less than twenty-two million seven hundred thousands are entered with no specification of language at all: thirteen thousand nine hundred are similarly entered as Wild Tribes, yet wild though they were, they must have been Hindus and had a form of speech: in all probability any text book would have supplied the language. European languages, dead and living, are heedlessly entered: I should like to know more about the single individual who entered his vernacular as Latin, the thirteen hundred as speaking Sanskrit, and the one who spoke Slavonic.

We have next to clear away the following European languages which are all mixed up in the alphabetical list with the languages of India: English, Scotch, alias Keltic, alias Gaelic, for they are all entered; Irish, Welsh, French, Dutch, Flemish, German, Russian, Italian, and Maltese, Greek, Romanian, Spanish, Portuguese, Danish, Swedish, Norwegian, Finnish, Hungarian, Polish, Lapp and Swiss. The following Asiatic

languages follow, which belong to regions beyond India, the Indo-Chinese peninsula, and the Indian archipelago: Persian, Japanese, Chinese, Turkish, Armenian, and Arabic. Nine hundred persons are entered as employing Hebrew as their vernacular, which is most improbable: two residents of India are credited to communicate their ideas in Syriac, and two thousand speak a language called African: why not enter the others as speaking European or Asiatic? To no one it is imputed that they speak Australasian or American. It is amazing that a Census Return of India for 1881 should record 124 speakers of Scotch, 149 of Gaelic, and 2 of Celtic!!

We now approach India in its indirect sense: Many names are entered twice under slightly varying forms. Twenty-three thousand are entered as speaking Panjabi dialects. Now, the Report for the Panjab is singularly full and instructive, and with a little care these dialects could have been entered under their parent language. The form of speech of a region or a tribe is called a language: the local variations of such language, spoken in particular districts, or by particular sub-tribes are dialects, just as the Venetian, Neapolitan, and Sardinian are dialects of Italian. It is obvious, that where the returns have been prepared in this way, the work has not fallen into sympathetic hands, and there is much left to be desired. The transliteration of names is not that adopted by Hunter's Gazetteer, and scores of names of recognized languages or dialects have been omitted. There are, no doubt, great difficulties: a great deal of additional information is required, but this end can only be reached by keeping to the lines already laid down. There are transitional regions on the border of the language-field, or a mixed patois in a debatable region: aliens who have domiciled for many generations and have adopted the vernacular of the region, often retain a household patois borrowed from their ancestral language. This may account for 15,700 speakers of Persian.

The received classification of the languages of India, Indo-China, and the Indian Archipelago is as follows:—

- | | | |
|---|---------------------|-------------------|
| 1 | Arian family | { A Iranic branch |
| | | { B India branch |
| 2 | Dravidian family. | |
| 3 | Kolarian group | |
| 4 | Tibeto-Burman group | |
| 5 | Khasi | |
| 6 | Tai family | |
| 7 | Mon-Anam group | |
| 8 | Malayan family. | |

The word family implies actually ascertained affinity: the word group implies a less intimate, or less accurately ascertained connection, possibly only a geographical approximation.

It may be stated that the progress of knowledge of the Languages of India, if evidenced by the General Report of the whole kingdom, is certainly retrograde: the compilers had not taken the trouble to consult the most ordinary text book: many of the supposed facts which he exhibits in his Table of Languages, in his notes attached to that table, he discredits and declares to be inaccurate: the reader can only ask, why did he not correct the table? The reply seems to be that the table was compiled by ignorant mechanical collators of the Provincial returns, and not looked at by the general compiler, until it was in print. It appears that the Chief Commissioner of Assam, one of the most interesting Language Fields, sent only naked statistics and no report. If it really was intended to schedule among the languages of a Province, the Argot and trade-jargons, they should have been entered in a separate category.

In the Arian family we find the two leading languages of the Iranic branch, the Pushtu and Balúchi, and ten leading languages of the India branch, Kashmiri, Sindhi, Panjabi, Hindi, Nepali, Asamese, Bengali, Uriya, Marahti and Gujarati. Some interesting particulars with regard to dialects are added. The relation of Hindustani or Urdu, the great *lingua franca* of India, is misunderstood: it is only a dialect of Hindi, which is spoken by the largest population in the world, and has a tendency to expand and absorb its neighbours, notably the Panjabi. It is every way more convenient for the present to treat Hindi as the unit, and then allow full room to its magnificent dialects, such as Bhojpúri, Maithili, Braj Basha, Bagri, Pahári, Jathki, Marwári, Chatesgarhi, or any others. In course of time they will establish an independent literature of their own, and raise themselves to the position of independent languages, their special idiosyncracies and divergencies being brought to book. Whether the Hindustani has attained an existence geographically is doubtful: it is the language of the educated classes, over a vast region, and the official language in two great Provinces. However, in a country like India, where the agricultural classes form such a vast majority, we must know what language they speak. Hindustani does, indeed, resemble English in its hybrid character, and power of absorption of foreign word stores, and foreign word formations, yet it differs in two essentials. It has fallen into the fatal error of arranging the words in a new national sequence, contrary to the position in which the idea rises in the mind, *e. g.* instead, "Why have you not obeyed my order?" we insensibly, in Hindustani, following the Sanskrit idiom, say "By you, my order why not obeyed?" A still more formidable obstacle to its world wide expansion, is its slavish adherence to the shackles of gender and numbers, from

which the English, destined to be the World Language of the next century, has freed itself. Of what possible use was it to make adjectives, and pronouns, and even verbs alter their final vowel with reference to the gender of the noun? The Persian language, to which the Hindustani is so largely indebted, had got rid of this badge of linguistic slavery, and the English is as free as air, making no difference betwixt an old man and an old woman, or a naughty man and a naughty woman, without any loss of perspicuity.

We are greatly indebted to Hærnle, Kellogg, Beames, Grierson, Growse, and others for their important studies on different portions of the Hindi language, but much remains to be done to record the effect of the contact of this lordly vernacular with Dravidian and Kolarian elements, and with its sister vernacular in Central India. The reporter of the Census for the Panjab, Ibbetson, though he disclaims any pretence to being a philologist, has contributed most important information. What is now required is, that a large map of the Hindi Language Field should be prepared; and after information has been received from each sub-Collectorate, of the proportion of the population speaking each dialect, it should be exhibited on the Language Map by shades of colour. It is of the utmost importance for the well being and peace of the people, that the officials, native as well as English, should be able to hold converse with the agriculturists in their villages. The sections of the population marked by these variation of dialects are not petty tribes, but in some cases are counted by millions.

I pass on to the Dravidian Family. New names of dialects come to the surface, and old well known ones have been ignorantly and unsympathetically treated. The four great Dravidian languages will probably swallow up their small and adjacent congeners, but the Gond, the Khond, the Uraon, and Rajmukáli, or Maler must either hold their own, or fall before their great Arian neighbours. If this happens by a natural process, it can neither be arrested, nor ought it to be regretted; but it is a terrible scandal, that there should not be a single Gond speaking school amidst a population of more than a million. I strongly remonstrated against this some years ago, and was answered, that the Gond had no written character, and had no right to exist. This is a policy more worthy of the French, German, and Austrian Governments than the English. The Gond language is described by Caldwell as being a language of great linguistic capacity. If the absence of a written character be the test of vitality, what will become of the great vernaculars of South Africa? Neither administrator nor missionary has a right to set aside

a great vernacular, living in the mouths of the people, from mere laziness or sheer stupidity. The unanimous judgment of the English statesman and the Protestant philanthropist is against such a course.

Next in order come the Kolarian group of Central India. One, at least, of that group, the Sontal, will survive, and (from the logical beauty of its structure, is worthy to survive. The poor miserable fragments of old half extinct vernaculars will, like the languages of the Bhil, disappear, and form one of the dialectal variations of the adjacent Arian language. The Mandári will have a hard struggle for life, though, at present, the vernacular of three quarters of a million. In a South Sea Island, or an isolated peninsula, such a language would live for ever, but the Mandári has to resist the aggression of the Hindi, Bengali, and some Dravidian language, and the odds are against its survival in the struggle for life.

Of the vast group, the Tibeto-Burman, only a portion appears in the reports of the Census. The languages of Nepal, an independent kingdom, are not included. The Tibetan appears in the hill tracts of the Panjab, and is reported to be advancing: it appears again on the Assam frontier. As the Assam authorities sent in no report, and the general compiler did not care to consult the latest authorities, the report of the language of that Province is most unsatisfactory. The identity of the Kahkien and Singhpo had escaped notice. The languages of the tribes in the intermediate zone, betwixt Bengal and Burma, have escaped observation, though fully reported by officers of Government such as McCulloch. Of British Burma we have full information in the local Report, and an additional notice by Dr. Forschammer of the Educational Department. The isolated language of Khasi, and the languages of the Tai, Mon-Anan and Malay families are inadequately noticed. It requires no little study and consideration to find out the locality of such random and mispelt entries as Bhuin, Chin, Chau, Dainet, Hajong, Yebein, Salone, and others. One entry defies all research. The brief notices attached to each name are singularly inadequate, and often misleading.

No passing allusion is made to the multiform variety of written characters used in India for literature that passes through the press in published works, and in the scores of unshackled daily and weekly newspapers, in the vast epistolary correspondence that is conveyed with rapidity and inviolate sanctity from one end of the Empire to the other, in the account books of the banks, the merchant, the village accountant, and the copyist of religious manuscripts. No country can display a parallel. The indigenous characters were

undoubtedly all developed from one parent stock, as exhibited in the tablets of Asoka ; and the characters then used—ten centuries before the Christian era,—betray a contact with the great Phœnician alphabet, the great mother of the alphabets of the world. Over and above the indigenous alphabets, is the great alphabet of Arabia, and over and above that, is now the great alphabet of Rome ; and those of us, who have used them all ^{three} concurrently, and with no exertion in the discharge of our daily duties, know that all three, however different they may appear in their modern form, are sprung from the one great alphabet mentioned above, which Tyrian merchants, at some remote period, brought back with them from a study of the Hieratic manuscripts in Egypt.

The preparation of the next Census should be entrusted to a Commission of three persons, professing distinct qualifications. I. An official versed in statistics, and no doubt the compiler of the present report was eminently qualified for that portion of the operation. II. An individual who has studied anthropology, ordinarily a medical man. III. A philologist from the ranks of the educational department. To them should be entrusted the duty of preparing the instructions to the local census takers, and the forms, as well as compiling the results, and the whole operation should take place in India, down to the correction of the last proof, and not in London, where it is impossible by a reference to a correspondent on the spot, to clear up a difficulty, or correct a manifest error which springs up at the last moment. It is of no use throwing voluminous tables of naked figures at the heads of the readers, like a bundle of bones of a skeleton. They must be clothed with flesh, their purport explained, and the conclusion to be drawn therefrom philosophically indicated. A Census is prepared, not as a matter of antiquarian interest, but as a barometer to warn and caution administrators of complications with which he may have to deal.

The East India Moral and Material Progress and Condition Report during the year 1882-83 is a remarkably valuable work. It recapitulates the history, from the earliest day, of every branch of the subject : it appears intended for the edification, or perhaps the education of the three hundred new members of Parliament, who actually knew nothing about India, and who fell into the old belief, that a zemindar and a jemadar, and Scindia and Sindh are synonyms. Still, at best, it is that dangerous telescopic knowledge obtained by an examination of distant scenes through lenses carefully manipulated for the purpose, and fall far short of that microscopic knowledge only to be obtained by dwelling among the people. The series of maps in the second volume are

wonderful: they have been devised so as to submit to the eye all the salient phenomena of India, both moral and material, from the meteorological map, showing the rainfall, the gift of God, to the railway map, recording the science, industry and enterprise of man. We have done our duty to India at least in this particular, and there is proof that, vast as is the population of the region, the soil is so fertile that it could support a much larger one: infinitely various as are the products of the soil, they could be amplified: vast as the natural wealth of the country is, it could be indefinitely increased. The great Pax Romana of the last quarter of a century has worked out this result.

Another interesting State document is the minute of the Governor of Madras, published in 1884, describing the seven tours which he made in that province in 1882 and 1883, visiting every one of the twenty-two districts, holding conversation with the officials, English and native, giving audience to the municipalities and the notables, and answering the different representatives of the different interests. It is a striking photograph of the state of things, and causes those, who knew India forty years ago, to start at the change in the Benighted Presidency. Its vast sea-board, its canals, railways and great variety of imports, indigenous and introduced, must keep it in the first rank. It is true that the Lieutenant-Governors, and Chief Commissioners of the Northern Provinces, have for many years adopted the practice of such visitations, with the additional advantage of knowing the language of the people. If, as Mr. Grant Duff remarks, a *Proprætor*, or Proconsul of a Roman Province, such as Cicero in Cilicia, or Pliny in Galatia, or Aulus Gellius in the *Suhâra* had taken the trouble to make such a tour, and had recorded it with that precision, in which Xenophon and Cœcal recorded their military operations, how much more ample would our knowledge be of the tribes, their languages, their customs, their forms of worship, than that which we now possess. If Pontius Pilate had left some record of his general mode of administering justice, and collecting the imperial taxes, of the establishments which he kept up for the purpose, of the representations and complaints made to him by the Jews, what a clearer view we should have of his character and of his environment!

Such life-like diaries please and instruct more than the stately and defiant Minutes left behind them by the great Proconsuls Dalhousie and Lawrence. These last rank more with the Ancyrean Tablets, wherein Augustus, in his pompous style, tells future ages how much he had done for Rome, or in other words, at what price the Romans had sold their liberties to the crafty tyrant: such records are emphatically the story of the

man who held the whip, not the story of the dog which had to bear the stripes. In fact, the people went for nothing then in Europe, and till lately, for nothing in Asia. It was no uncommon incident for an English officer to call upon a Raja and have a talk with him, and then report to his Government that he had taken the opinion of the country side. Municipalities had not come into existence, and the idea of an address from planters, merchants, land-owners, and tenants would have seemed ridiculous.

What will it be a quarter of a century later? We may imagine an ingredient of discontent, a spice of malcontents, a suggestion of foreign emissaries sent on purpose to propagate grievances, a French man-of-war in the offing, a Russian agent in the cities, a class of nondescript aliens claiming French protection, an Irish feeling about tenant right, a Bulgarian feeling about a right of independence, a new theory started by the speakers of Telugu and Tamil, that a unity of language constitutes a nationality, the old theory, that a unity of religious notions justifies a struggle for political union; an unprincipled Native Press; a periodical, like the notorious Bosphore published at Pondicherry, and circulating thence over the Peninsula. In all these elements of disturbance we can see the germs of weakness and decay; then will come the cry for federation with the English Empire, or a statutory Parliament, a paper constitution reducing Government to as low a state of degradation as is represented in Rome by the immortal letters S. P. Q. R. "Senatus Populus que Romanus" and the scavenger's carts of the city.

A French writer, Gaidoz, in a late review of the resources of India, remarks that the sentiment which is called patriotism in Europe, is unknown in India. There is neither unity of race, religion, language, nor common interest: they cannot appeal to the same traditions, the same gods, or communicate with each other in the same language. This first fact accounts for the second fact, that the English were able to conquer, and are still able to hold the country. But this state of things is changing: a current of opinion, and a moral organisation is forming, from which elements of antagonism to a foreign Government will as certainly be developed as sparks from tinder. The infusion of Western ideas and English education may some day supply this unity, but that time is not yet. Anything is better than a Government on low principles like that of the Dutch in the Indian Archipelago, which withholds education from the people, stifles the local Press, renders the settlement of Europeans difficult, and treats a great country as a preserve, from which the mother country is to be fattened. No liberal man can object to this expected development: he is the

friend of liberty everywhere, and he must look the future in the face, doing his duty in the present. The Russian Government fosters education in Odessa and Tiflis, and lets the Bible be distributed freely over the empire, employs Natives of the conquered provinces in the highest Civil and Military posts, and must take the consequences of this policy in the next generation. India is held for the good of the people of India, and not to fatten merchants, or planters, and provide salaries for Military and Civil employees. It is worthy of remark that the classes who are educated, and who bluster so much in the Press, and in public Meetings, are totally unwarlike, timid, and incapable of bearing arms. There is not a soldier enlisted from the population of Lower Bengal. Just before the battle of Maharajpur, the Bengali clerks of the Foreign Secretariat petitioned Lord Ellenborough "to be allowed to retire to Agra, until the issues of the battle was known, as they belonged to an unwarlike race." On the other hand the warlike races of Northern India are still totally uneducated. It would be a false kindness to grant liberal institutions to a population not fit for it. A careful study of the Census report will enable judgment to be formed, whether they are fit for it. The kingdom of Greece, and the province of Romelia, or Eastern Bulgaria have occupied much public attention lately : the population of the former, with all its islands, falls short of one-and-three quarter millions, speaking one language, and belonging to one religion : the population of the latter, taken last year (1885) falls short of one million, and the population of Bulgaria proper is only two millions. What a gigantic problem is that of India compared to these petty districts, and in manhood, capacity, wealth, enterprise, education ; and every thing that constitutes a state, how superior are the people of India to the debased Bulgarians, and the decaying and unworthy Greeks. If India became the theatre of a struggle betwixt two European nations, or were left to itself after the struggle of a European war, its present civilisation would roll up and perish, the canals and railways would be destroyed, commerce be paralysed, and education cease to exist. The successful founder of new dynasties, whether Hindu or Mahometan, would be something very different from the educated natives of the Presidency College, and the editors of newspapers. This latter class had better reflect, that it is under the English Government, and the *English Government only*, that they would be allowed to exist. A Russian, German, or French administration would snuff them out without a day's delay. Men of stronger calibre would spring up : the year of the mutinies in Northern India supplied a fair idea of what would be the state of the country, if the strong, but gentle and sympathising Central Government, were

withdrawn. And the educated classes should reflect upon this, and limit their aspirations to municipal institutions, provincial councils of finance, provincial legislatures, the right to rise by proved merit to the highest offices of the State, and absolute equality of man with man in every court of justice, police and administration without any disqualification of race, religion or language whatsoever. Albocracy should cease, if the Indian Empire is to be maintained.

ROBERT CUST.

March 25th, 1886.

ART. IX.—LITERARY COINCIDENCES.

Nay, that's certain : they that dally nicely with words
May quickly make them wanton.

(Viola in *Twelfth Night*. III. 1.)

THERE is, perhaps, no feature in modern literature (as distinguished from scientific discovery and speculation) so marked as the difficulty either of originating new lines of thought, or of presenting old thoughts in new and fresh guise. And, in this connexion, the very opulence of the literary materials available to a modern writer offers an appreciable hindrance to original and individual thinking. So much has been said and written on so many subjects, and said and written in such a variety of ways, that, to a conscientious worker, nothing seems remaining to be done, either as to substance, or as to manner, unless it be done in the very highest style and finish of workmanship. To be sure, the increasing deluge of modern books hardly indicates the complete realization of this truth. But any one who sets about authorship in a really earnest spirit must inevitably feel himself confronted with the difficulty to the very verge of despair. Why then, apart from professional book-making, or from book-making of the humblest sort, do books continue to be written? The true explanation seems to be that, even when nothing substantially new has to be said, the combination of ideas, or of ideas with circumstances, is sufficiently new to justify authorship ; that these combinations are dressed up in a certain novelty of apparel ; and that, taken as a whole, and having regard to the accommodation of style to altered growths in intellectual taste and culture, books presenting such combinations of ideas, circumstances, and novelty of language, are more likely to reach and influence the modern mind, than ancient, or rapidly-growing, ancient works on the same subjects, even though the latter may be fuller of matter, and conceived in a higher and more classical vein.*

* It is interesting to note in this connexion the thoughts suggested to George Eliot as the result of her acute observations of the great monuments of Italian art : the italics are mine : "I am thrown into a state of humiliating passivity by the sight of the great things done in the far past : it seems as if life were not long enough to learn, and as if my own activity were so completely dwarfed by comparison, that I should never have courage for more creation of my own. There is only one thing that has an opposite and stimulating effect : it is the comparative rarity, even here, of great and truthful art, and the abundance of wretched imitation and falsity. *Every hand is wanted in the world that can do a little genuine sincere work.*"—Cross' George Eliot's Life. II. 193.

Thus, if we look at Poetry, and study it in its modern presentations, the truth of these observations will at once become apparent. Take Browning or Tennyson for example : in what respect, one might ask, have they added to the stock of poetical *ideas* ? In what respect—as Mill said of Archbishop Whately when comparing him with, and setting him above, Hamilton—are these *fertile thinkers* ? The answer to this may not be very satisfactory. Still, is not modern literature the richer and the better for all that Browning and Tennyson have written ? It would be difficult to say, indeed, in respect of any thesis which they have handled, that they have originated any absolutely new problem, or that old problems have been discussed by them in words and phrases that are absolutely new. But what they have done is, by fresh combinations of ideas, and by presenting these combinations in a dress acceptable to modern literary tastes, to arrest modern attention in a way that the old thinkers and writers have not altogether, or always, the power now to accomplish.

At the same time, it is curious to note, both how little the rich store of already existing literary materials leaves to be done in the way of a fresh combination or presentation of ideas ; and also, how it inevitably suggests coincidences, which are very likely unconscious, but which are none the less traceable, perhaps, to readings and studies that have left impressions lying latent, and only waiting for an appropriate stimulus to call them into full life and activity. Some of these coincidences I propose passing in review here. It may be mentioned, however, that while I have selected such instances only as seemed to me to have a peculiar interest, or to indicate resemblance of form or sentiment more strikingly than others, the necessity of keeping within certain limits may have, perhaps, prevented my noticing some with which readers of this paper may be familiar, or in tracing such resemblances as I have dealt with to their best and highest sources.

No reader of Tennyson can fail to be struck by two leading characteristics in his writings : his wide literary culture, and the noble purity of his language. But the very copiousness of his culture leads to a not unfrequent reproduction of ancient, and often half-forgotten, literary gems : reproduced, however, in a setting of his own, which amply vindicates his title to fine workmanship.

Take these lines, which are tolerably familiar to most readers :—

“ ’Tis well ; ’tis something : we may stand
Where he in English earth is laid,
And from his ashes may be made,
The violet of his native land.” (*In Memoriam*. 18.)

Now, compare with this the following :—

“Lay her i' the earth :
And from her fair and unpolluted flesh
May violets spring !” (Hamlet. V. I.)

And, again, this :—

“Nunc non e tumulto fortunatique favilla
Nascentur violæ ?” (Persius. Sat. I. 89.)

And compare, passim—

“from her ashes spring,” &c.
(Paradise Lost. III. 334.).

Shakespeare was probably innocent of Persius. But in the scholarly days of the Elizabethan era, some such sentiment, as above set forth, was likely enough to be familiar to English readers of his time, only waiting perhaps for some quickening impulse to give it vitality in a form that will now live for ever.

The following, also from Tennyson, fine as it is, must be read with the context to be fully appreciated :—

“I heard
“The shrill edged shriek of a mother divide the shuddering night.”
(Maud. I. 4).

The rare form of the image here seems too remarkable not to be traceable, however unconsciously, to this from Milton's description of the angelic host, and how

“their songs
“Divide the night.” (Paradise Lost. IV. 687.).

Take, next, the following from Byron : it occurs in that beautiful and touching passage from the Giaour, with which every schoolboy—not to mention Macaulay's famous sixth-form boy—is familiar :—

“Where cold Obstruction's apathy
Appals the gazing mourner's heart,” &c. ;

And compare it with this :—

“To lie in cold obstruction and to rot,” &c.
(Measure for Measure. III. I.).

Here is another :—

“I see their glorious black eyes shine.”
(Byron : Isles of Greece : Don Juan. III.).

“The sun looked on the world with glorious eye”—
(Shakespeare. Passionate Pilgrim. VI.)

Surely, in both these cases, the rare form of expression indicates a resemblance that is not purely accidental, though doubtless it was perfectly unconscious on the part of the later poet.

Take, again, these lines, which are a sort of pet quotation from Tennyson :—

“Tis better to have loved and lost
Than never to have loved at all.”
(In Memoriam. 27 : 85) ;

and compare with them the following :—

"But say what you will, 'tis better to be left than never to have been loved."

(Congreve. *Way of the World*. II. 1.)

Sometimes a phrase is curiously reproduced, with a variation : as in "immortal love" (Herbert. *Love*) ; "immortal hate" (*Paradise Lost*. I. 107) ; and "immortal love" (*In Memoriam*. 1) ; or as in the following—

"The air hath starved the roses in her cheeks."

(*Two Gentlemen of Verona*. IV. 4.)

"The lightning laughs dimple
The baby-roses in her cheeks."

(Tennyson. *Lilian*.)

There is a fine expression in these lines :—

"When on my bed the moonlight falls,
* * * * *

There comes a glory on the walls."

(*In Memoriam*. 67.)

One would hardly expect to find a suggestion in this connexion in that most charming of books, Pepys's Diary : but here is something like it from the passage describing the state of London on the stirring night when the triumph of the City against the Rump had begun to be an appreciable fact :—

"Here, out of the window, it was a most pleasant sight to see the City from one end to the other with a glory about it, so high was the light of the bonfires, and so thick round the City, and the bells rang every where."

Again, compare—

"Crowned with roses" (Tennyson—*The Golden Supper*) ;
with the hacknied—

"multa in rosa" (Horace. *Odes*. I 5.)

and

"ἐν στέφανοις εἶναι"

from Euripides, cited by Anthon.

Is there not, too, a coincidence, at once curious and pleasing, in the appropriation by Milton to Shakespeare, of words used by the latter in a poetical connexion ?

"The child of fancy," &c. (*Love's Labour's Lost*. I. 1.).

"Sweetest Shakespeare, Fancy's child." (*L'Allegro*.)

There is again a marked identity of sentiment and of expression in the following :—

"And 'ave, ave, ave,' said

"Adieu, adieu, for evermore."

(*In Memoriam*. 57.).

"Atque in perpetuum, frater, ave atque vale."

(Catullus. *Car.* 101. 10.).

Coincidences, such as we are dealing with, must not, it need hardly be pointed out, be confounded with expressions used allusively, with a conscious knowledge of their source, and a

confidence in the reader's sympathetic knowledge in that connexion : as where the line—

"Make my heart as a millstone." (*Maud.* I. viii).

is an obvious reference to the passage from Job :—

"Heart * * * as hard as a piece of the *nether millstone*."
(*Chap.* XLI. v. 24.).

So :—

"But *the tongue is a fire* as you know, my dear, the tongue is a fire." (*Tennyson. The Grandmother*),

is a mere reproduction of this from the Epistle of St. James' :—

"*The tongue is a fire.*" (*Chap.* III. v. 6.).

An interesting identity of sentiment may be traced also in the passages that follow : the lines from Hamlet are from the famous soliloquy :—

"Before I go *whence I shall not return.* (*Job* X. 21),
"I shall go the way *whence I shall not return.* (*Job* XVI. 22.)
"The undiscovered country *from whose bourn*
No traveller returns." (*Hamlet.* III. 1.)

And, again, here :—

"To be, or not to be : that is the question," &c. (*Hamlet.* III. 1.)

"To be no more : sad cure ! for who would lose
Though full of pain, this intellectual being,
Those thoughts that wander through eternity
To perish rather, swallowed up and lost
In the wide womb of uncreated night,
Devoid of sense and motion ?"

{From Satan's speech : *Paradise Lost.* II. 146.)

Who shall say, however, that the later passage yields to the earlier one, either in sublimity of thought or in majesty of language ?

In the lines that follow, the coincidence is one of alliteration, sufficiently striking, however, to deserve a passing notice :—

"A conqueror, and afeard to speak !"
(*Love's Labour's Lost.* V. 2.)

"A fireman, and afraid of bumps !"
(*Rejected Addresses.* From the well-known
parody of Marmion.)

Similarly in these—

"Possessing and possessed." (*Pope. Eloisa and Abelard.*)
"Caressing and carest." (*Byron. Bride of Abydos.* VI.)

Compare, again, the passage familiar to every schoolboy :—

"*Illic robur et æs triplex*
Circa pectus erat," &c. (*Horace. Odes.* I. 3)

with this from Milton—

"Arm the obdured breast
With stubborn patience as *with triple steel.* (*Paradise Lost.*
II. 569) ;

and this from Scott—

"That iron grasp thy frame might feel
Through bars of brass and *triple steel*,"
(*Lady of the Lake*. The Combat Scene.)

The following fine lines from Milton have been always admired :—

"the mind is its own place, and in itself
Can make a heaven of hell, a hell of heaven."
(*Paradise Lost*. I. 253.)

Are they a lingering echo, one cannot help wondering, however,—though unquestionably a very fine, resounding echo,—of this ?

"Oh, then, what graces in my love do dwell,
That *he hath turned a heaven into a hell !*"
(*Midsummer Night's Dream*. I. 1.)

In the second of the next two lines, the plagiarism seems almost audacious :—

"*Slubber not business for my sake*, Bassanio."
(*Merchant of Venice*. II. 8.)
"*Slubber o'er your business for my sake*,"
(Dryden. *Translation from Ovid*.)

This description of Satan's standard—

"which, full high advanced,
Shone like a meteor streaming to the wind ;"
(*Paradise Lost*. I. 537) ;

was probably the forerunner of the line in Pope—

"From op'ning skies may *streaming glories shine*,"
(*Eloisa to Abelard*) ;

and of this from Gray :—

"his beard and hoary hair
Stream'd, like a meteor, to the troubled air." (*Bard*.)

So, again : Herbert's

"strange delights." (*Holy Scriptures*) :

Pope's

"dear deceits" (*Eloisa to Abelard*) ;

and Tennyson's

"delicious spites and darling angers" (*Madeline*) :
seem linked together by a marked family likeness.

A similar family likeness seems to characterize the specimens that follow next :—

"I was a *stricken deer*, that left the herd
Long since," (Cowper. *The Garden*.)
"Come, rest in this bosom, my own *stricken deer*,"
(Moore. *Irish Melodies*.)

So also in the following :—

"Love is and was my *Lord and King*,"
(*In Memoriam*, 126.)

"It was in the *golden prime*
Of good Haroun Alraschid."
(Tennyson. *Recollections of Arabian Nights*.)

"When the world was in its *golden prime*,
And Love was *lord below*."
(Gerald Massey. *That Merry, Merry May*.)

The mention of spring in Gerald Massey's tender little poem—

"Every vein of Earth was dancing
With the Spring's new wine !
'Twas the pleasant-time of flowers.
When I met you, love of mine !" (*That Merry, &c.*)—

is strikingly suggestive of the charming song in "*As you like it* :—

"How that a life was but a flower
In spring time," &c.

"For love is crowned with the *prime*
In spring time," &c. (V. 3.)

In another, and a peculiarly graceful little poem of the former author's, the following lines occur :—

From out a *balmy bosom*
Our bud of beauty grew." (*Our Wee White Rose*.)

One cannot help being reminded, in this connexion, of Tennyson's exquisite song in the *Miller's Daughter* :—

"And I would be the necklace,
And all day long to fall and rise
Upon her *balmy bosom*,
With her laughter or her sighs," &c.

Compare, again, the following, each perfect in its way,—perfect like a jewel in its own setting,—and yet with a literal resemblance that is nothing less than remarkable :—

"the high lawns appear'd
Under the opening *eyelids of the morn*." (Milton. *Lycidas*.)

"Ray-fringed *eyelids of the morn*
Roof not a glance so keen as thine." (Tennyson. *To—*.)

"His eyes are like the *eyelids of the morning*." (*Job*. XLI, 18.)

Or next, take these—

"Before the wheels of Phœbus, round about
Dapples the drowsy east with spots of grey."
(*Much Ado about Nothing*. V. 3.)

"The *grey eyed morn* smiles on the frowning night."
(*Romeo and Juliet* II. 3.)

—"the *dappled dawn* doth rise." (*L'Allegro*.)
"Till cold winds woke the *gray-eyed morn*."
(Tennyson. *Mariana*.)

In the lines that follow, though there is a slight difference of language, the same ideas were obviously present in the minds of both poets :—

"Here in her hairs
The painter plays the spider and hath woven

—*A golden mesh to entrap the hearts of men.*"

(Bassanio in the *Merchant of Venice*, on discovering Portia's picture. *III.* 2.)

"Thou
All my bounding heart entanglest
In a golden-netted smile." (Tennyson. *Madeline*.)

The unconscious reproduction of an idea, or the independent origination in two or more minds of one and the same idea, may be illustrated further by a comparison of the following :—

- (1.) "*Correctly cold, and regularly low.*" (Pope. *Essay on Criticism*. *III.*)

"Faultily faultless, *icily regular*, splendidly null," &c.
(Maud. *II.*)

- (2.) "For now sits Expectation in the air." (*King Henry V.* *II.* 1.)

"and Expectation held
His look suspense," &c. (*Paradise Lost.* *II.* 417.)

- (3.) "I would fill the sea-halls with a *voice of power.*"
(Tennyson. *The Merman*.)

"Then, dropping his mouth to a hole in the reed,
He blew in power by the river."
(E. B. Browning. *A Musical Instrument*.)

- (4.) "Some spirit of a crimson rose

wasting odorous sighs
All night long on darkness blind," &c.
(Tennyson. *Adeline*.)

"Full many a flower is born to blush unseen
And waste its sweetness on the desert air."
(Gray. *Elegy*.)

In the next series, the identity of sentiment is still more pronounced :

- (1.) "While *melting music* steals upon the sky."
(Pope. *Rape of the Lock.* *II.*)

"The *melting voice* through mazes running."
(*L'Allegro*.)

- (2.) "The *frolic wind* that *breathes* the spring." (*L'Allegro*.)

"the wind who woos
Even now the frozen bosom of the north."
(*Romeo and Juliet.* *I.* 4.)

"While the *amorous, odorous wind*
Breathes low between the sunset and the moon."
(Tennyson. *Eleonore*.)

"The *wanton summer air*." (*Romeo and Juliet.* *II.* 6.)

- (3.) "*Dew of sleep.*" (*Paradise Lost.* *IV.* 604.)

"Dewy sleep."
(*Ditto* *IX.* 1044.)

"Entice the *dewy feathered sleep.*" (*Il Penseroso*.)
"Sleep's *dewy hand.*" (Young. *Night Thoughts.* *IX.*)

- (4.) "As *balmy sleep* had charmed my cares to rest."
(Pope. *Temple of Fame*.)

"Tired Nature's sweet restorer, *balmy sleep.*"
(Young. *Night Thoughts.* *I.*)

Here the plagiarism is apparent :—

"Justify the ways of God to man"
(*Paradise Lost*. I. 26.)

"Vindicate the ways of God to man."
(Pope. *Essay on Man*. I.)

And in this :—

"at whose sight all the stars
"Hide their diminished heads." (*Paradise Lost*. IV. 34.)
"Ye little stars! hide your diminished rays."
(Pope. *Moral Essays*. III.)

One or two further instances must suffice of the curious way in which similar, or nearly similar, ideas occur to different minds separated from each other by large intervals of time :—

(1.) "Behold the window of my heart, mine eye."
(*Love's Labour's Lost*. V. 2.)

"And through a lattice on the soul
Looks thy fair face." &c. (*In Memoriam*. 70.)

(2.) "To sport with Amarillis in the shade
Or with the tangles of Neæra's hair"
(Milton. *Lycidas*.)

"One hand on Julia's carelessly was thrown,
Quite by mistake—she thought it was her own :

Unconsciously she lean'd upon the other,
Which played within the tangles of her hair
(*Don Juan*. I. 110.)

"When I lie tangled in her hair."
(Lovelace. *Althea*.)

Does not this, from the song already referred to from Tennyson, in the *Miller's Daughter*,—

"I would be the jewel
That trembles in her ear," &c.

remind one suggestively of the following from *Romeo and Juliet* :—

"O, that I were a glove upon that hand,
That I might touch that cheek!" (*II*. 2.)

It is time, however, to bring this paper to a conclusion. I shall content myself, therefore, with the instances given below :—

(1.) "morning roses newly washed with dew."
(*Taming of the Shrew*. II. 1)

"—fresh-blown roses washed in dew." (*L'Allegro*.)

(2.) "Stony limits cannot hold love out."
(*Romeo and Juliet*. II. 2.)

"Stone walls do not a prison make,
Nor iron bars a cage."

(Lovelace. *Althea*.)

(3.) "How angrily I taught my brow to frown."
(*Two Gentlemen of Verona*. I. 2.)

"Again thou blushest angrily;
And o'er black brows drops down
A sudden curvèd frown."

(Tennyson. *Madeline*.)

The foregoing extracts happen, I think, to be peculiarly illustrative of the sort of coincidences which I have been discussing : both idea and phraseology being so identical in different writers, as to prove conclusively the difficulties under which a modern poet, thoroughly penetrated with the labours of his predecessors, sits down to the elaboration of a new style or of a new line of thought within the range of his own literary activities. It is scarcely necessary to add, with reference to the familiar lines taken from *Lovelace*,—so familiar that they have become a household phrase, while the name of the writer is probably unknown to the general reader,—that he is a far later writer than the great poet, whose lines may, perhaps, have dimly suggested to him the idea which his own verse has so inimitably embodied.

R. SPENCER.

GEORGIS : A CRETAN BALLAD.

(Translated from the German of Chamisso.)

1

Georgis, Chief Georgis ! hast oft thy red right hand
Imbrued in Turkish tyrant's blood, let one more feel thy brand :
Alas ! who now can bring thee news from native Creta's coast ?
Thou liest bound with slavish bonds amidst the hostile host.

2

Ariph the Turk hath made a feast in Creta's level land ;
He sends to all the Rajahs round this writing in his hand ;
Now bring ye here your daughters dear, to grace my feast withal
To sing to me, and dance for me, within my lordly hall.

3

And unto Georgis' father his strait command hath gone
That of the dancing girls to-night thy daughter shall be one ;
She came ; and when the other maids unto their homes had sped
The Turk hath Georgis' sister seized, and borne her to his bed.

4

The maiden, lithe and active to wild despair a prey,
Hath wrestled with the ravisher, and wrenched herself away :
O'er brake and briar, through mud and mire, her flying feet have hied,
Till she reached her father's homestead, on the lonely mountain side.

5

Next morn unto her father's house the Turk his steps addressed ;
The old man on the threshold bows before the unwelcome guest :
And Ariph bids him forth to field, his monthly tithes to bring,
While he will wait within the gate, and bide his in-coming.

6

Now through the vacant house he hastes, the maiden's room to win ;
With pistols braced around his waist, he seizes her therein :
With man-like strength she grapples him, she struggles all she can ;
He lies unweaponed at her feet, a craven caitiff man.

7

Then by his Holy Prophet a sacred oath he swore,
That never would he vex her more, his arms would she restore :
She hears his oath, she trusts his truth, his arms she doth bestow
Again on him, and bids him rise, and goes with him below.

8

But he, irate with lust and hate, inured to deeds of blood,
Now glares upon her wolfishly as by his side she stood :
His cruel steel hilt-deep he plunged into her bosom fair,
All blanched and bleeding, at his feet, she sinketh lifeless there.

9

The old man hath the tithing brought, he now is homeward bound ;
He sees the loved and lovely corpse upon the blood-stained ground :
" Georgis," he cries, " my son, my son ! hast oft thy strong right hand
" Imbrued in Turkish tyrant's blood, of one more rid the land ! "

10

And Ariph hears the clamour, his carbine lies apart ;
He seizes it, and sends a ball straight to the old man's heart :
The father and the daughter are lying there undone ;
To pity them, or weep o'er them, is friend or kinsman none.

11

Georgis, brave Georgis ! hast oft thy red right hand
Imbrued in Turkish tyrant's blood, of one more rid the land !
Alas ! who now can bring thee news from native Creta's coast ?
Thou liest bound with slavish bonds amidst the Turkish host.

12

The sea-mews bring the captive news from Crete beyond the main,
He hears the sea-mews, struggles he, and bursts his slavish chain ;
One patriot brought him weapons ; another passage found ;
And night and day he hastes away, and stands on Cretan ground.

13

What sees he there, to his despair ? A newly-shovelled grave ;
Within, his sister's corpse, and his, who life unto him gave ;
With heedful art, from out his heart, he cuts the fatal ball,
And his own deadly rifle-gun he loads with it withal.

14

Soon is the word by Ariph heard " Thy foe again is here : "
He sends this message : " That thou now before me straight appear ; "
" To seek me here thyself drawn ear ; I mourn my ruined home ;
I stir not forth from this my hearth, nor will to Ariph come."

15

When Ariph heard this scornful word, in fury forth he broke ;
He called his Turks around him, and thus to them he spoke :
" Let ten men, weaponed, follow me ! this day the deed is done ;
" To join the father and the girl will I despatch the son."

16

And now before the farm house door, the Turkish sabres shine,
The Chief sat at the table, and drank the purple wine :
He seizes quick his trusty gun ; " Now let my good right hand
" That oft has Turkish tyrants slain, of one more rid the land."

17

He spoke, and sent the bullet, which from his father's heart
He took, back to its owner, from whom it first did part :
Full straight and true that bullet flew, and Ariph on the floor
Falls weltering and wallowing in his black heart's gurgling gore.

18

Georgis, Chief Georgis ! well hath thy red right hand,
That oft the blood of Turks has shed, of Ariph rid the land :
And ever more on Creta's shore, the ruby wine shall flow
To him who bore the Cross before, and laid the Crescent low.

KING SOLOMON'S HORSES.

When the horses, standing on three feet and touching the ground with the edge of the fourth foot, swift in the course, were set in parade before him, King Solomon in the evening said:—"Verily, I have loved the love of earthly good above the remembrance of my Lord; and I have spent the time in viewing these horses till the sun is hidden by the veil of night. Bring the horses back unto me." And when they were brought back, he began to cut off their legs and their necks.—Al Korân.

The black Egyptian coursers of the sands,
Grey stallions from the North, the beasts I love,
Red-nostrilled, river-maned, I slew them all
As a child smites in anger. Oh! wise King!
And foolish past the folly of all fools.

Not anger wholly. Hiram at the gate
Reined in his chariot crying:—"Let them go;"
And I, because I knew the minds of men,
Who cannot rule my own, bade strike afresh,
Assured the fame of such a sacrifice
Would spread to Tyre and the isles beyond.
My honour and not God's I sought herein—
My honour and men's wonder. Who but I
Dare slay a thousand horses of the best,
As Hiram slays his score of starveling goats
To Ashtaroth?

What sin was theirs who lie
Gaunt carcasses beneath the moonlight—speed,
Strength, and the glorious beauty of their kind?
The thunder of the storm was in their feet;
The lightning of the storm was in their eyes;
The power of ten thousand men was theirs;
And one old man, chafed at his own neglect,
Has taken strength and beauty, speed and power.
Yea, they fought well. My reeking spearmen ran
Thrice from their furious onset, when we penned
The flying hundreds in the Palace Porch,
And I had slain the fairest steed of all—
The great grey stallion with the iron mane.
I chose him for my chariot ere the dusk
Fell and my wisdom left me. Mild was he;
Kingly as I have been. He bowed his neck
To the sharp point and stumbled at my feet,
Still kingly, pleading with great liquid eyes,
And died in silence.

Then I saw my sin
But dared not stay the slaughter. Hiram's eye
Alight with wonder at the gate forbade ;
And some old lust of bloodshed spurred me on.
Wherefore I loosed my spearmen, till the Porch
Filled with the tumult of the flying steeds,
The screams of men and horses, kicks and blows ;
The sharp, quick bubble of the stabbing-spears ;
Fall of great hoofs that plashed in pools of blood
And the low gurgle of the dying. Last,
Out of the press, a red horse reared himself
Black with the sweat of horror, white with foam.
[Accursed be my knowledge of brute speech !]
Crying :—"What sin is ours that we die
My brother ?" Then I would have stayed the spears,
But that none heard me till the last was slain ;
And I was left alone among the dead—
The raw, sick smell of blood upon the air—
And Hiram's voice across the silent court,
Crying :—"All honour to King Solomon !"

All honour to the wisdom of the King !
Wrath and mad lust for honour—honour these !
Small profit unto God the sacrifice ;
And to myself the gain of my own scorn.

All honour to the wisdom of the King !
The grey was beautiful above his kind,
And Hiram's fleet has sailed, nor brings again
Another steed as fair . . . Oh ! most wise King !

RUDYARD KIPLING.

THE QUARTER.

THE grand political event of the quarter was the introduction by Mr. Gladstone of the Home Rule Bill in the House of Commons with all its momentous consequences, immediate and prospective. During the quarter under review all eyes were turned on Westminster, just as during preceding quarters, all eyes were turned on Khartoom, Panjdch and Mandalay. Among other events of less moment, or at least of general public interest to the English people, were the relations between Greece and Turkey ; the progress, not altogether satisfactory, of the Dacoity Campaign in Burmah ; the opening of the Indo-Colonial Exhibition ; the great and increasing public interest in the great Silver Problem all over the world ; the steady progress of the Frontier Delimitation Commission ; the Lhasa Expedition ; the energetic proceedings of the Indian Finance Committee, and the death of General Hughes.

On the second reading of the Home Rule Bill, the Government was beaten, by what must be considered under the circumstances, a very sufficient and respectable majority. The Parliamentary combination against the measure was too strong, even for Mr. Gladstone. There was this notable and obvious peculiarity about the final stages of this memorable Parliamentary struggle. It was not, strictly speaking, a party conflict at all. During the last six or seven years there has come into existence, in connexion with English political life, a new and distinctive element, namely, the Gladstonian element. Of course, Mr. Gladstone has always had followers and admirers among all sections of the Liberal party : men like Lord Hartington and Mr. Bright ; but then they were only devoted Gladstonians because they were devoted Liberals, and because they believed that Mr. Gladstone represented, with unequalled authority and unequalled ability, the cardinal doctrines of English Liberalism. But this delusion has been finally dissipated at last. The Gladstonian pure and simple, concerns himself about none of these things. Whatever Mr. Gladstone says is law ; whatever Mr. Gladstone does is right, and it was Gladstonians, not Liberals or Radicals, who rallied to their leader on the second reading of the Home Rule Bill. It was a contest between Gladstonians and the Parnellites on the one hand—the Gladstonians who represent no political principle except belief in Gladstone—and the Parnellites who represent

no political principle at all—against what is left in English political life of the intellect, conscience, and foresight of the country. Mr. Gladstone will appeal from the House of Commons to the country, and if he is beaten at the elections, “he falls like Lucifer, never to rise again.” But will he fail? Who can tell? The political future is dark and uncertain, beyond all precedent, and nothing is certain but the fact, that there are new forces at work in connexion with English domestic politics, the existence of which we cannot doubt, but the actual character and tendencies of which, no man can measure or foresee. The extension of the country franchise reached a political strata which was, as it were, unknown to political science, but one generalization may be hazarded. No English Radical or Democrat has had, as yet, the courage to avow that the Imperial interests of England—the interests and responsibilities she has inherited from her long established position as a first-class European power—are in reality either a matter of indifference and aversion to him. Mr. Bright has never made any such avowal; neither has Mr. Chamberlain. But both Mr. Bright and Mr. Chamberlain are Conservatives, as compared with a new school of Radicals who are every day becoming more numerous, more daring—more organised, and more influential, in the great centres of radical thought. Mr. Labouchere is at present the representative type of this new school of radicalism. These men do not believe in the Imperial interests of England. The words Imperialism, Federation, Union, even Patriotism—when by patriotism is meant a concern for our national honor abroad,—are simply hateful to them. Will that party have sufficient influence to turn the scale at the elections? We sincerely hope they won’t, but our hopes and expectations don’t go hand-in-hand. It goes without saying that the prevalence, much less the ascendancy, of this spirit in English politics is fraught with the gravest perils to the future of the Empire. There are in England only too many unreasoning admirers of America and American institutions, but the most ardent and unthinking of them all, would scarcely go so far as to contend that English and American policy in relation to foreign responsibilities, could ever be brought to move parallel lines—We are the heirs of our own past and of all which that past has bequeathed to us in the present and future, but this is precisely what politicians of Mr. Labouchere’s way of thinking won’t admit.

As we anticipated the Public Works Department has come in for a lion’s share of attention from the Finance Committee. This is as it should be. So far the Committee has gone to

work in a manner which is, to a great extent, original in connexion with the history of Committees, and which is likely to prove very effective. The Army Committee finished its inquiry (a very thorough one by the way) and made its report and recommendations, and both report and recommendations were promptly shelved, and we heard no more about them. The Education Committee finished its inquiry and made its report and recommendations, and those recommendations have only been very partially adopted up to date. Now, Mr. Elliott is not the man to be satisfied with this sort of treatment. The Finance Committee, under his direction, has become, to a certain extent, an executive as well as a reporting body, and the reductions and changes which have recommended themselves to the Committee, are being, as it were, forced on the heads of Departments, while the Committee is engaged in the process of overhauling public expenditure in every branch of public administration. Not only are reductions "recommended" to Departmental chiefs, but the specific manner in which they ought to be carried out, is pointed out, and sometimes insisted on. There is one question in connexion with this matter, the reduction of expenditure—which the Committee ought to grapple with. It is this. Are Anglo-Indian officials, as a rule, paid too highly for the work they do, or the reverse? Are they, *as a class*, well-to-do men, or are they as a class poor men in all that constitutes the essential elements of wealth,—an income more than sufficient for their personal needs, saved money, and the prospect when they retire of being able to live in affluence at home. Now, according to Wilfred Blunt, they are, as a class, very rich men, indeed. Even Station Masters have splendid conveyances, and subordinate officials dine nearly always on turkey and ham, and like their champagne dry. This is one impression about Anglo-Indian officials which is very popular at home, but the sooner that impression is dissipated the better. It is a matter of fact—it should be, I think, a matter of general public notoriety as well—that Anglo-Indian officials are now, as a class, a very poor class indeed, and that nine men out of ten in this country find it very difficult to make both ends meet. It is, perhaps, for its number, the most indebted community in the whole world. Have you seen the "Great Lone Land," said a friend to Mr. H. G. Keene? "Yes," replied the *wit*; "*I have lived in India: it is the greatest Loan Land I have ever seen.*" The reason for all this is surely not far to seek. I am speaking, not of what I think or conjecture, but of what I *know* when I say, that the expensiveness of living in India has more than doubled in the last twenty years. Add to this a frightfully depreciated exchange, income tax, and the awful increase in the expense of maintaining and educating children in

England, and you have the easily-found cause of that most undoubted effect, an impoverished, indebted, and profoundly discontented European community. In relation to that community, Mr. Elliott occupies a position very analogous to that politest of French cooks, who summoned all the feathered inhabitants of the farm yard to a grand consultation as to how they would like to be cooked, because their tastes and wishes on that head would be most carefully respected. Whereupon there arose from all the turkeys and cocks, and geese, and hens, a most dismal wail of lamentation, each one crying out with a loud voice "We don't want to be cooked at all"! "My friend," replied the cook, "*you are wandering from the point.*" And so it is with the poor officials, already hard up enough, when they ask not to be included in the threatened reductions, and ruined outright :—*They are wandering from the point.* Mr. Elliott in his eagerness for financial reform is zealous to the point of ferocity, but he is, we are convinced, far too clear-sighted and experienced an administrator to confound mere reduction of expense with real reform. Could the aggregate sum of official work performed in India be contracted for at a far less outlay of public money? Of course it could, but would that be a gain or a loss to the State? It would be a gain of so much money, and a loss of that which is, beyond all calculation,—more important than money to a true statesman,—the efficiency, purity, loyalty, and contentment of the public services of this great empire. Oh, but then the gain is tangible, immediate, substantial—it can be set forth with that pleasing symmetry of official arrangement which is so dear to the mere ledger keepers and statisticians of public administration, and the loss is not susceptible of being estimated in this way, and need not, therefore, be taken into any practical account. Mr. Elliott has a great opportunity of proving himself something more than a mere official auditor of public accounts. The question of a wholesale reduction of public expenditure cannot be long separated from the future constitution of the public services.

The Indo-Colonial Exhibition was formally opened to the public during the quarter under review. Her Majesty, the Queen Empress, presided at the opening ceremony, which was favored by "Queen's weather," and passed off with the greatest possible splendour and *eclat*. India may well be proud of the magnificent collection in the Indian Section of the Exhibition, and, judging from the descriptions and criticisms in the English newspapers, it may be considered that the Indian collection has been, as it were, a revelation to the English public as regards the artistic and industrial resources of this country. It is a great

pity that, owing to a most unfortunate accident, Mr. Alexander Scott's magnificent landscapes of Himalyan scenery were late for the opening of the Exhibition.

The strained relations between Greece and Turkey continued during the quarter under review, and at one time culminated in a actual outbreak of hostilities between the troops on the frontier. There is something in the latest phases of the Greek difficulty profoundly perplexing and unsatisfactory when viewed from the stand-point of English diplomacy in the East of Europe. England cannot be indifferent to the cause of Greece so far as an English national sentiment is concerned ; but on the other hand, England cannot be insensible to the extreme danger which would be involved in allowing Greece to make waste paper of the provisions of the Berlin Congress. Where are the fruits of the Crimean war, purchased at such a fearful cost of English blood and treasure ? They have disappeared, and not a vestige remains. If Greece and Turkey are involved in war, it is certain that Russia will sooner or later be mixed up in the quarrel, and that she will have an excellent opportunity of re-opening the Eastern question. Hence it is that we have to join the other Powers in coercing Greece, although the Greeks are contending for everything which England holds dear,—liberty, independence, the emancipation of their kindred people from a rule alien to them in race and religion. At every point the lines of European diplomacy continue to cross each other with new complications at every layer, and in endless and bewildering variety.

During the quarter under review the dacoity campaign in Burmah assumed somewhat serious dimensions, and provoked, from the noble army of grumblers, the usual amount of criticism and censure of Government measures and Government calculations ; but in the justice of this criticism we can by no means concur. Mr. Crosthwaite, in an able and temperate letter to the English *Times*, pointed out the various causes which combined to make the pacification of Burma a work of peculiar difficulty to the civil and military authorities of the country. Burmah is not like India. It has no class corresponding to the Indian landlords and feudal territorial princes, and no system corresponding to the Indian zemindari system. There are no great zemindars in Burmah who can, as in India, be held as hostages for the tranquility of their districts, and whose personal interests are inseparably bound up with that tranquility. The Burmese villagers saw a noble opportunity for plunder and petty raids—in the unsettled state of our newly acquired kingdom—and they availed themselves of

it ; and so, in the Indian Mutiny, did the corresponding class in India. According to Thornhill, the warfare against the English was only a part of a vast and complicated system of internecine war which followed the outbreak in 1857. Village raided against village : zemindar rose against zemindar. The whole country, far away from the scenes of the English battle-fields of the campaign, became a scene of "ravage and riot." The history of that extraordinary warfare has never been written—it has only been indicated by the historians of the Mutiny ; but there can be no doubt that it took place, and that it was carried on with relentless vigor, and was the cause of misery and ruin to thousands who never saw an English soldier or a sepoy from one end of the campaign to the other.

The less important events of the quarter—Indian and English—may be summarized as follows :—

The return, or attempted return, of the Maharajah Duleep Sing to his native country may, with propriety, be classed among the Indian events of the last quarter. The Maharajah got as far as Aden, and from thence issued a manifesto to his fellow countrymen in the Punjab, so incredibly silly and inflated, that most people believed the manifesto to be a hoax. So the English Government took the hint, the Maharajah was stopped at Aden, and he has since returned to England. The truth is that the Maharajah had outrun the constable to some extent in England ; and his attempt to return to India is believed to have been dictated by a desire to "put the screw" on the English Government in the direction of inducing them to come forward and pay his debts. Well, perhaps, from his point of view, the Maharajah was right. He should be allowed enough to keep him in comfort at home. We have had, by this time, quite enough out of his country to enable us to do that, and still show a very large balance to our credit.

The Silver Agitation has been continued with great vigor during the quarter under review, and the bi-metallists appear to be gaining ground in a very decided and satisfactory manner indeed. Sir Auckland Colvin is a "tower of strength" to the advocates of a fixed standard, "which they, the adverse faction, want," because he represents the deliberate and carefully considered views of the Government of India in relation to this important question, and it is evident from the tenor of Lord Randolph's address at Manchester, that the leading financiers at home are beginning to waver in their adherence to the present system of silver currency in India. During the quarter under review, Mr. Guilford Molesworth delivered

an important address on the subject at Simla ; Mr. Barbour has published a pamphlet containing a masterly and exhaustive refutation of the arguments which have been advanced against the double standard theory, on the score of its being impracticable—and, as we have said, Sir Auckland Colvin came forward with a short decisive declaration of his views on the subject, to the general effect that “ Something must be done, something must be done ” !

The object of the Lhasa Mission is to establish, if possible, a trade route between Tibet and India ; a route protected by treaties between England on the one hand, and China and Tibet on the other. Some time must elapse before anything definite, respecting the success or failure of the mission, is known in India, but the latest intelligence from Tibet was decidedly favorable, and argued well for the success of Mr. Maccaulay's spirited undertaking.

Mr. Miller, the agent to the Maharajah of Burdwan, died very suddenly during the quarter under review. Mr. Miller's administration of the Burdwan Raj had lately been made the subject of a most cruel series of calumnies and misrepresentations in the columns of the *Calcutta Statesman*, and Mr. Miller had instituted proceedings against the newspaper to vindicate his character. Mr. Miller is dead ; the law suit, we suppose, cannot come off, and Mr. Robert Knight, after the Manager's death, came forward in the *Statesman* with a wholesale retraction of the charges preferred against Mr. Miller, and an apology for having made them. This retraction and apology, delayed by Mr. Knight to a fitting opportunity, came too late to be any satisfaction or benefit to the unfortunate man who had been the victim of such cruel and unmerited aspersions.

But better late than never ; and it is certainly to Mr. Knight's credit that he should (when he was unable to make any reparation to the living) have come forward, with commendable promptitude, to render justice to the memory of the voiceless and defenceless dead.

There appears in this issue of the *Calcutta Review* an article by Mr. Robert Cust, which possesses a two-fold interest for ourselves. In the first place, it deals with a most important subject—the true significance of Census statistics—in a most able and suggestive manner. In the second place it happens as Mr. Cust reminds us himself, to be the fortieth annual contribution to this publication from the same writer. Many years have elapsed since this eminent civilian retired from India after an exceptionally long and distinguished service. Since then he has

not been idle. He has long and ably discharged the duties of Secretary to the Royal Asiatic Society of England, and he is a prominent and active member of the British and Foreign Bible Society. But apart from this, his writings, travels, explorations, and active exertions in connexion with the most varied forms of practical benevolence, have earned for him an honorable place among the savants and philanthropists of our time ; and surely the best wish that any Anglo-Indian, now residing in this country, can wish for himself is, that when he retires from India, he may retain, when he reaches the ripe old age to which our author has now attained, the freshness of feeling, vigour of understanding, and keen universal sympathy with all forms of progress, and civilization, and philanthropy, which have marked the life and labours of Robert Cust.

GEO. A. STACK.

24th June 1886.

SUMMARY OF ANNUAL REPORTS.

Report on Municipal Taxation and Expenditure, Lower Provinces, Bengal, 1884-85.

PRINCIPAL STATISTICS:—

Vital Statistics.—The vital statistics of the town have been drawn up for the calendar year 1884, instead of for the official year 1884-85. This change was recommended by the Army Sanitary Commission, so that the health statistics of Calcutta may easily be comparable with the sanitary records of other towns and countries of the civilized world. The number of births registered was 8,290 as compared with 7,434 in 1883, and 6,985 the mean of the preceding decade. The ratio of registered births per 1,000 of population was 19·1 as compared with 17·1 in 1883. The average birth-rate in England is 34·4 per mille. The registration of births was comparatively satisfactory, and showed results better than those of any year of which there is record, though it is apprehended that birth registration in Calcutta is still imperfect. Among the various races, the recorded birth-rates per mille were—

		1884.	1883.
Non Asiatics	... ..	13·2	13·1
Mixed races	... ..	49·6	48·5
Hindoos	... ..	20·2	18·9
Mahomedans	... ..	15·9	13·6
Other classes	... ..	4·2	6·6

The number of deaths recorded during 1884 was 13,256, as compared with 12,325 in 1883, giving a death-rate of 30·5 per mille against 28·4. The year 1884 was exceptionally unhealthy in two respects: there was a severe outbreak of cholera in the months of March, April and May, causing 1,616 deaths, against a mean figure for the same months for the previous 14 years of 605. Small-pox also prevailed to an unusual extent, causing 478 deaths against 73 in 1883 and 17 in 1882.

Public Instruction, North-West Provinces and Oudh, 1885.

PRINCIPAL STATISTICS:—

University teaching in Arts was carried on during the year at ten institutions, five being colleges proper, and five high schools containing also classes for the University examinations. The examinations for the M. A. degree were deferred till November, and the results could not be shown in this report. For the F. A. and B. A. examinations, which were held in April, the figures stand thus—

		Passed in 1883-84.	Passed in 1884-85.
F. A.	... ..	93	73
B. A.	... ..	33	38

The exceptional success obtained at the F. A. examination in the former year was not maintained in 1884-85, but the results of the B. A. examinations were substantially better. With one exception, all the students who passed the B. A. and 66 out of the 73 students who qualified at the F. A. examinations, were sent up by the one or other of the five colleges. The methods which have been adopted to analyse and weigh the respective merits of the examination work done by the colleges during the year seems to be fair and proper, and should be duly considered by those primarily responsible for the management and direction of those institutions.

Besides the ten institutions above referred to, St. Peter's College, Agra, is included in the statistical returns, as subsidiary and general (imperial), of arts colleges. Its claim to collegiate status seems to be based on the existence of a class of two students for the Roorkee College examination. The special departments (1) for law in the Muir, Benares, and Canning Colleges, (2) for Sanskrit in Benares, and (3) for Oriental teaching in the Canning and Aligarh Colleges, are all classed as separate institutions in the returns, thus making up 17 in all; but into this total the Benares and Canning Colleges enter three times, and the Muir and Aligarh Colleges twice each. In the general tables the number of colleges is shown as 18, apparently by the inclusion of the Roorkee College, though no imperative reason is apparent why this institution should be admitted here and excluded from the subsidiary forms. The Sanskrit College at Benares continued under Dr. Thibaut's management to be both popular and efficient. It has been strengthened by the restoration of the Anglo-Sanskrit department, which commenced work in July 1884, and is reported to have made good progress.

Correspondence on the subject of Muhammadan education in British India issued by Government of India in the Home Department.

Extract from Financial Government Resolution on correspondence and reports:—

With regard to this matter, the Government of India, after a careful consideration of the local reports, including the opinion of the High Courts, has no hesitation in coming to the conclusion, that the Mussalman community have no substantial grievance. In those provinces in which any considerable number of cases of Muhammadan law come before the Courts, the Bar is largely composed of members of that community, so that Muhammadan exponents of the law are always to be found. The appointment of law officer to the Courts was abolished by Act XI of 1864, after full deliberation, on the ground that the office had come to be one of no practical utility. However necessary it may have been, in the early days of British rule, to employ Muhammadan experts to interpret Muhammadan law, especially when the criminal courts for the most part had to administer that law, such necessity has now ceased to exist; the Penal Code has been introduced, the general study of law has progressed, the standard for judicial employment has been raised, and text-books in English, dealing fully and ably with Muhammadan law, have become common. In the opinion, therefore, of the Government of India, the evidence forthcoming lends no support to the statements of the memorialists, that justice has miscarried from the want of acquaintance of the Judges with Muhammadan law. Nor does the Government see any reason to revive the system which would place members of the Mussalman community in the position of Assessor Judges to the civil courts of the country. It is also impossible to undertake that a Muhammadan Judge shall always sit on the bench of each of the High and Chief Courts; but the Governor-General in Council would

certainly admit the claims of any Muhammadan gentleman who might appear to be, in other respects, the best suited for such an appointment. One gentleman of the Muhammadan community recently filled the post of Officiating Judge of the bench of the High Court of the North Western Provinces.

The last point in the memorial to which it is necessary to refer, is the abolition of Urdu as the Court language of Behar. This was a measure carried out after much consideration by the Local Government. The Lieutenant-Governor now remarks regarding it—

To the objections against the introduction of Hindi as the official language of Behar, the Lieutenant-Governor considers that a sufficient answer is furnished by the last Administration Report of the Commissioner of the Patna Division. It is stated in that report that the change in question has been effected without difficulty and with great advantage to the public in general. A new class of amla and legal practitioners acquainted with Hindi is springing up, while the change has been introduced with such consideration for the claims of existing incumbents of offices, that the individual hardship caused by it has been inappreciable. This statement will be intelligible, when it is understood that even at the present day all subordinate officials and law-agents have some knowledge of Hindi. All speak it, and nearly all write it, though possibly not with the same facility as Urdu. There is reason to believe that this outcry against the use of Hindi in Behar, is rather a matter of factitious sentiment than of practical inconvenience. It is far louder among the Muhammadans of Calcutta who are not affected by the change than among the supposed sufferers. The change is the logical sequence of that exclusively Hindi teaching which has prevailed for nearly ten years with such marked success in all the primary patshalas and vernacular schools of Behar; in the very institutions, that is to say, from which the subordinate official classes, in whose behalf alone this outcry is raised, are fed. To give effect to the wishes of the National Muhammadan Association, therefore, on this point, it would be necessary to reverse the existing and approved policy of popular education in these provinces—a course which the memorialists themselves would hardly advocate.

The Governor-General in Council has felt it to be his duty in the preceding paragraphs to controvert various misconceptions which find place in the representations that have been laid before Government; but he will, as already stated, always take a lively interest in the advancement and well-being of the Muhammadan community, and he concurs in the remarks which not unfrequently occur in the local reports, that the very fact that a memorial like that under notice has been presented with the concurrence and approval of so many leading gentlemen in Bengal and elsewhere, indicates that the Muhammadans have themselves come to appreciate fully the necessity of moving with the times. They have now among them not a few highly educated and public spirited men who are keenly interested in the improvement and advancement of their co-religionists. The Local Governments are everywhere anxious to do all that they equitably can do to assist in this movement; and His Excellency in Council has little doubt that, within the next ten years, much greater progress will be made than has hitherto been recorded.

Administration of the Stamp Revenue, North-Western Provinces and Oudh, 1885.

P RINCIPAL STATISTICS :—

The following table shows the gross receipts for the year under report as compared with the budget estimate and the Gross receipts. receipts of the preceding year :—

	Gross receipts, 1883-84.	Budget estimate, 1884-85.	Gross receipts, 1884-85.
	Rs.	Rs.	Rs.
General stamps under Indian Stamp Act { N. W.-Provinces (1 of 1879). { Oudh ...	11,92,643 2,92,347	12,29,515 3,16,015	11,67,077 2,98,863
Total ...	14,84,990	15,45,530	14,65,940
Court fees { N. W.-Provinces stamps { Oudh ...	34,76,869 9,49,996	33,57,500 9,08,300	35,46,879 9,23,023
Total ...	44,26,865	42,65,800	44,69,902
GRAND TOTAL ...	59,11,855	58,11,330	59,35,842

The aggregate gross receipts were thus Rs. 23,987 above those of 1883-84, and Rs. 1,24,512 (or over 2 per cent.) in excess of the budget estimate. The rise is, however, again (as was the case in 1883-84) confined to Court fees stamps, the receipts from general stamps for the two provinces showing a diminution of Rs. 79,590 as compared with the budget estimate, and of Rs. 19,050 as compared with actuals of 1883-84, although in Oudh the receipts from general stamps show an increase of Rs. 6,516 over those of the previous year.

Administration of the Punjab and its Dependencies, 1884-85.

P RINCIPAL STATISTICS :—

The year.—The year 1884-85 was one of average prosperity. The spring harvest of 1884 was good in the central and north-western districts, but bad or indifferent in the south-east and south-west of the province. Later on in the year there was anxiety as to the condition of some districts of the Delhi Division; but the autumn rains were copious in that part of the country, and the autumn crop was both large in area and abundant in yield. The spring crop of 1885 was satisfactory, especially in the south-eastern Punjab. The depressed tracts in that quarter are now in a fair way to recovery, which, if the harvest at present in the ground turns out well, will probably be complete.

Throughout the year prices were generally moderate. The public health was not bad, except in the tracts visited by the severe epidemic of malarious fever which occurred in the autumn of 1884. From this cause the

death-rate for the province reached a figure which has only been exceeded twice in the seventeen years during which the registration of births and deaths has been carried out in the Punjab.

Land-revenue.—Collections on account of land-revenue during the year amounted to about 212 lakhs, or nearly 3½ lakhs more than in the previous year. Notwithstanding this improved result the provincial balances increased and stood on the date of the last Revenue Report at nearly a million of rupees. An analysis of the figures shows that more than eight-tenths of this large balance were due from the Delhi, Gurgaon, Rohtak and Karnál districts alone. More than 7½ lakhs were outstanding in Gurgaon and Rohtak in about equal proportions. There is reason to believe that these balances will be largely reduced during the current year. The occurrence of any considerable outstandings is a somewhat novel feature in the revenue administration of the Punjab; but is no doubt the inevitable result of the policy of prompt suspensions or remissions in all cases of real distress.

Indian Meteorological Memoirs, Vol. III, Part 1st.

THE RAINFALL OF INDIA.

MR. BLANDFORD writes :—

"It appears from a summation of the above data that, (including the Province of Assam, but excluding the Himalaya, the Burmese Peninsula, and also an area of about 150,000 square miles in the north-east of the peninsula, for which, until recently, rainfall registers were wanting,) the annual average rainfall of India is 39·3 inches. The rainfall of this unrepresented area may, however, be estimated with approximate accuracy as 49·1 inches (the mean of the three provinces surrounding it, and much of which it resembles in its geographical features). Including this, the average rainfall of India becomes

40·7 inches or 1,034 millimeters.

"This result I have tested by a different method, which is, perhaps, more trustworthy. A copy of the large rainfall chart of India, on the scale of 64 miles to the inch (lately published), was cut into 25 sections, for the most part following the boundary lines of the rainfall increments. Each fragment was then weighed in a delicate chemical balance, and its area computed from the weight by comparison with that of a standard area of the chart. The average rainfall of each was then computed from that of all the stations included in it, amounting to about 1,000 for the whole area, and the sum of the several products of areas and their respective rainfall, divided by the sum of the areas, gave exactly

42 inches, or 1,067 millimeters,

which is adopted as the average rainfall of India within the above defined limits.

"The average of Pegu, omitting the Arakan, Yoma and the adjacent coast is about 73 inches; that of the coast tracts of Chittagong, Arakan, and Tenasserim varies from 100 to upwards of 200 inches, as far as is shown by existing registers, nearly all of which are those of stations on and near the coast line. As the rainfall of these stations can scarcely be accepted as representing the average of the whole provinces, I omit any estimate of the represented areas. For the same reason I omit the area of the Bay Islands.

"The average rainfall of India as a whole, as above estimated, does not differ very much from the general average of the tropical zone; but within the limits of India Proper and Assam, the extreme variations are such as

are without parallel in any other country in the world. On the one hand, we have the station of Cherra Poonjee, with a fall of from 500 to 600 inches and on the other, Jacobabad, with an annual average of less than 5 inches, and a minimum of less than one inch ; and in the case of individual stations and even rainfall-provinces, the variations from year to year are considerable, and, as we shall see subsequently, relatively greater where the fall is small than where it is heavier.

"On the mean of the whole represented area of India, the extreme difference of the driest and wettest years, comprehended in our registers, amounts to 13 inches on the general average of 42 inches, or 31 per cent. of the mean fall ; ranging about equally (15 per cent.) in excess and (16 per cent.) in defect of the normal average. Into the question of these variations, so all-important in their influence on the prosperity of India, I shall enter at some length in the second part of this memoir ; but, before doing so, it will be necessary to take a general survey of the normal or average distribution of the rainfall, and the meteorological conditions on which it depends, under the two-fold aspect of their seasonal and geographical relations."

Public Instruction, Bombay, 1885.

PRINCIPAL Statistics :—

EDUCATIONAL INSTITUTIONS.

The total number of educational institutions at the close of the year was 6,726 against 6,335 in the previous year, or an increase of 391. The number of scholars also increased from 413,341 to 438,416, an addition of 25,075.

Of the 391 new institutions opened during the year, 2 were Government institutions, 91 belonged to Local Fund and Municipal Boards, 207 were private institutions aided by the Department, and 83 were in Native States.

The following table shows the distribution between the Department, Local Fund Boards, &c., &c., of the educational institutions in existence at the close of 1884-85 and 1883-84 :—

Class of Institution.	1884-85	1883-84.
Institutions maintained by the Department ...	105	103
Institutions maintained by the Local Fund and Municipal Boards ...	4,210	4,119
Institutions maintained by Native States ...	1,664	1,581
Institutions aided by the Department or by Local Fund and Municipal Boards ...	669	462
Unaided institutions ...	49	42
Police and Jail schools ...	29	28
Total ...	6,726	6,335

The following statement exhibits at a glance the net results of the year as regards both the increase of schools and the increase of scholars.

	SCHOOLS.	SCHOLARS.	
	Increase.	Increase.	Decrease.
Schools maintained by the Department	2	1,386	...
Schools maintained by Local Fund and Municipal Boards ...	91	7,491	...
Schools maintained by Native States ...	83	7,712	...
Schools aided by the Department or by Local Fund or Municipal Boards...	207	9,419	...
Unaided schools ...	7	...	734
Schools maintained by other Departments ...	1	...	199
Total ...	391	26,008	933
Deduct—Decrease ...	...	933	...
Net Increase ...	...	25,075	...

It will be observed that, during the year under review, aided private enterprise has contributed towards the net increase of, the year more schools and more scholars than the Aided Institutions, the Local and Municipal Boards put together—a result which must be considered satisfactory, when the fact is recognised that it is impossible for Government with the means at its disposal, to educate more than a very small percentage of the population, and that its efforts must be mainly directed to setting an example in each district by maintaining a high standard, and to the development of those branches of education and those localities which private enterprise is likely to neglect.

Indian Census Statistics, 1884-85.

There were 714,707 villages, townships, and cities in India in 1881, and 43,532,035 inhabited houses. The villages, townships, and cities were in the proportion of 0·52 to each square mile of territory, and the houses in the proportion of 32 to each square mile. Bengal had much the largest number of villages, &c., these amounting to 248,706 and being at the rate of 1·59 to the square mile. The North-Western Provinces came next with 81,084 villages, &c., or 0·99 to the square mile. In Oudh there was one village, &c., to the square mile of area in the province. These are the three most densely populated provinces in the empire, the number of persons to the square mile being 470 in Oudh, 426 in Bengal, and 400 in the North Western Provinces. Cochin, indeed, shows a population of 441 to the square mile in an area of 1,361 square miles, but in this small parcel of native territory, it is only the port which belongs to the British Government.

In Bengal the number of houses to the square mile was 67, the houses containing an average of 6·32 persons. The North-Western Provinces had 59 houses to the square mile, with an average of 6·82 persons to the house, and Oudh 85 houses, with an average of 5·51 persons. The average number of persons to each house for all India was 5·83.

Out of the male population of 129,941,851 contained in India

52,029,098, or 40 per cent., are returned as engaged in agriculture 7,248,475, or 5·6 per cent., were labourers; 3,027,958, or 2·33 per cent., were in the service of Government or members of professions 2,489,516, or 1·9 per cent., were engaged in domestic service and occupations; 49,248,645, or 38 per cent., were returned as "independent and non-productive, and unspecified;" 3,238,734, or 2·5 per cent., were in commerce, and 12 659,425, or 9·7 per cent., were in industrial occupations.

Thus we find less than 12½ per cent. of the male population engaged in commercial and industrial pursuits, while 40 per cent. were directly engaged in agriculture, to which should be added probably the bulk of the labourers, and doubtless a large proportion of those returned in the "independent and non-productive" class were directly dependent on the land, though not actually employed in its cultivation.

The total area of the country in 1881 was 1,372,588 square miles, but the division into cultivable, cultivated and uncultivable land is so lacking in completeness, that it is not possible to say what relation these divisions bear to each other except for some provinces.

Although there were altogether, in 1881, 714,707 towns and villages in India, in great part these are small collections of huts, hardly worthy of being even called villages. As many as 348,466 contained less than 200 inhabitants each, and 184 486 contained each a population varying between 200 and 500. Of towns, properly so called, the number is relatively very small for such a vast area. There were only 63 with a population exceeding 50,000; 123 with a population of from 20,000 to 50,000, and 388 with a population ranging between 10,000 and 20,000. In the first class of the 63, containing a population of upwards of 50,000 each, there were only 23 with a population exceeding 100,000, and of these 23 only 5 had a population each of more than 200,000, namely, Bombay, Calcutta with its suburbs, Madras, Hyderabad in the Deccan with its suburbs including Secunderabad and Lucknow. It is probable that Benares may have to be added to the list of towns containing over 200,000 inhabitants, for at the last census it was only 300 short of that number, and the city has increased largely in numbers of late years. In general, the increase of the population of these large towns is noticeable, and in a few cases, such as Rangoon, quite remarkable. Some few towns fell off in population during the decade (Lucknow, Bhagalpur, Farukhabad, Mirzapur, and Monghyr), but whereas in 1871 there were only 45 towns in India with a population exceeding 50,000, the number had increased to 63 in 1881.

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CRITICAL NOTICES.

GENERAL LITERATURE.

Our Administration of India. By H. A. D. Phillips, B. C. S.,
London: W. Thacker & Co, 87, Newgate Street, 1885.

THIS is "a Review," as the author tells us, "of the Revenue and Collectorate Administration" presumably of Bengal. He has "had ten years experience of various districts in the Mofussil," or country, as distinguished from the town, *i. e.*, Calcutta. "An accurate and truthful picture" is what he has "a desire to place before the English public," and he holds "no brief from the Bengal Government or any other authority."

Well! The title does not seem fetching, but a glance at the book dispels the Blue-Book impression that the title gives one; and although very much of the substance of the work is familiar to old Quai Hais, few even of these will read it without learning something.

We, ourselves, after twice the experience of the author, would confess to having new light thrown on several of the questions touched upon, and almost wish, even in these days of breathless hurry, that he had given us more observations.

"Wards' Estates and Forest Administration" is interesting and instructive, particularly to the Mofussilite, but we could stand more than six and a half lines upon Tea which, in 1883, occupied nearly 50,000 acres in Bengal, or about one-quarter of the area under Tea in the whole of British India as it was in 1881.

The "Protean variety" of a Collector's duties are thus pointed out. "He inspects schools, dispensaries, police-stations, pounds, registry offices; he observes the condition of the crops, the state of embankments, the progress of irrigation, inquires into the state of public feeling on various subjects, the relations of landlord and tenant, and other matters connected with land-revenue and rent administration. He perhaps has to overhaul a settlement made by a subordinate officer, and to satisfy himself that the rates imposed are fair and just. He inspects the papers and records of Managers' offices in Government and Court of Wards' Estates; he notes the course and direction of trade, any unusual emigration, immigration, or other internal movements of the people. He pays and receives visits from influential zemindars; and

perhaps settles amicably some dispute between a landlord and his tenantry. He inquires into the working of the regular and village police, satisfies himself that bad characters and convicted offenders are properly looked after; inspects liquor, opium, and ganja shops; sees that roads have been properly repaired; inquires if any well-to-do traders have escaped the license-tax. Then he looks after vital and mortuary statistics, vaccination, the sanitation of villages, the state of roads and communications, drainage, and other matters almost too numerous to mention." A Collector's district has often over 2,000,000 inhabitants, and may be bigger than Wales. It might have been mentioned, that the Collector's duty is also to write reports, more or less elaborate, upon most of these subjects. Poor fellow!

"Excise, Revenue and Opium" occupy an interesting chapter. The morality of the opium traffic is upheld, and Sir R. Temple quoted in support.

Fever, that scourge of India, is noted to have slain outright seven or eight *per cent.* in the Burdwan epidemic of 1872, leaving abandoned and ruined houses in its track. Other and more pleasing statements are contained in this chapter on the census, which tells us that there are only four insanes in Bengal to every 10,000 inhabitants.

The Cess Act and Land Acquisition chapters we will pass by, with the salt revenue, license-tax, stamp-revenue and registration, &c., subjects extremely interesting to legislators, budding and other.

"An Agricultural Sketch" is very well dimmed. "A Bengal village" is a vignette of the best. It is truthful, if not everywhere pleasing, for "the worship of the Goddess Ananke," whom we think identical with St. Cloacina, has to be brought in, and the interference with clean water which its promiscuous *cultus* necessitates.*

"The Bengali Babu" and "enforced widowhood" conclude the volume of 234 pages, which may well be read by every one who wants to know how we are governed in India.

† † We can heartily recommend the book to old and young Quai Hais, and to the English-reading public. The print is large, and there is a good index.

Pages 125 to 160 have been misplaced in our copy between pages 128 and 149.

* See, for a less graphic, but more detailed account of the Bengal village, "Bengal Peasant Life," by the Rev. Lal Behari Day.

† Mr. Phillips has done well in giving us such a readable and useful precis of Blue-Books and Administration Reports, and like Oliver, we ask for more.

‡ The volume is convenient in size and well got up.

Mind-cure on a Material Basis. By Sarah Elizabeth Titcomb, Author of "Early New England People." Boston: Cupples. Upham & Co., 283 Washington Street, 1885.

THIS book is a thing of shreds and patches, not worth reviewing. In it science and religion, matter and mind are jumbled together. Scissors and paste have been used with perfect freedom, and this *olla podrida* of a book is the result.

Here are a few of the authors thus mutilated: Dr. Carpenter, Dr. Hack Tuke, Dr. Laycock, Professors Tyndale (*sic*), Huxley, and Balfour Stewart, Sir William Hamilton, Oliver Wendell Holmes, Sir Benjamin Broady (*sic*), Mrs. Gaskell, Maudsley, Brunton, John Hunter, Muller, Sir H. Holland, Bacon, Berkeley, Herbert Spencer, Lockhart, Spinoza, Priestly, Sir Isaac Newton and Mr. Sinnett.

There is not much room left for the Titcomb. The writer's conclusion of the whole matter is put into the appendix.

"As it will probably be some time before the mind-cure will be universally resorted to for the cure of disease, it will not be amiss to give * * for nervous prostration and melancholia * * * an unfailing cure for those diseases. The remedy is as follows:—

"Three drams of pulverized guaiacum, three drams of colombo root, one pint of sherry wine, and two ounces of sugar. The dose is from one to two tablespoonfuls, three times a day, just before eating."

And this is Boston! Dram-shop-less Boston! No wonder that thy Chemists and Druggists drive a roaring trade.

Here, in India, this sounds very like Sherry and Bitters. Finally, there is no index.

Salammbô. By Gustave Flaubert. Englished by M. French Sheldon. Saxon & Co. London and New York.

THE work of which this is a translation, is generally considered the masterpiece of the writer whose name it bears. As a monument of erudition it may well excite wonder, but we question whether any one ever read it, even in the original, for the sake of mere pleasure.

Gustave Flaubert had peculiar ideas about his art. He travelled for ten years in Italy, Sicily and Greece; Turkey, Asia Minor, Egypt and Nubia, excavating and examining ruins, ransacking libraries and museums, and studying manners, customs and topographies, in order that his wonderful story of Ancient Carthage might be perfect in the minutest archæological particulars. In his excess of conscientiousness, he lost sight of the limitations under which the novelist must necessarily work, if he is to command popular attention. The

result, as presented in "Salammbô," is a work so overloaded with unfamiliar details, and so bristling with strange terms, that all dramatic effect is marred.

However well "Salammbô" might have been translated, this defect would have been fatal to its popularity. But M. French Sheldon's translation is far from being a good one. Odd constructions, and inappropriate expressions betray, in almost every sentence, the hand of the foreigner, and make the most powerful passages tame or ridiculous. Even the order of the words is seldom the most effective that could have been chosen, and the phraseology is throughout, in the highest degree, unnatural.

This is the more to be regretted, as Flaubert was an author who made an elaborate and loving study of the form of all he wrote. In his choice of words he showed the most delicate appreciation of nuances, and in their arrangement the most scrupulous regard for rhythm. It is even said that he graduated his sentences to musical notes, to suit the mood he wished to excite.

Only a consummate master of the English language, by the freest possible treatment of the original, could have hoped to reproduce anything like its effect. M. French Sheldon's translation not only misses such points as these, but conveys no idea of either the eloquence or the grace of the original. On the other hand it is obviously, in a high degree, painstaking and, for the most part, grammatically accurate.

Burma : as it was ; as it is, and as it will be. By James George Scott. (Shway Yoe). London : George Redway. 1886.

THE account given by Mr. Scott in this handy volume of the history, the country, and the people of Burma, is unlike most books on Burma—thoroughly readable. Indeed, the greater part of the section devoted to the people, may fairly be classed as light literature, and is as amusing as it is instructive.

Mr. Scott writes very appreciatingly of the Burmese, whom he justly describes, not only as the most sociable of men, but as unsurpassed for their hospitality. The white man who enters a remote village, no matter how tattered and torn he may be, is sure not merely of a hearty welcome, but of everything that is given or done to satisfy his needs and promote his comfort. Unhappily this open heartedness is very often abused by deserters from British regiments, sailors who have left their ships, and other varieties of the genus loafer, who are never repulsed, and might batten on the good nature of the country-folk for an indefinite period, if they did not get drunk and uproarious.

"Charity," says Mr. Scott, "is the most prominent doctrine of Buddhism, and the Burmese carry it to extraordinary lengths; but money very few Burmese have. When they do make a lucky haul with a judicious paddy speculation, or a *coup* in the timber trade, they forthwith spend all the money in works of merit, or in hiring a wandering troupe of actors for the amusement of the neighbourhood. Then they are penniless and happy again. They have entirely avoided the curse of Adam, and scout the necessity of earning their bread with the sweat of their brow."

Of the country and its capabilities, Mr. Scott gives an account which ought to reconcile all, and the most crabbed of Radicals, to the recent annexation, the events leading up to which are also very clearly described by him. The ancient history of the country he very judiciously dismisses with a few broad touches.

The book is essentially one for the people, rather than for the learned; and its appearance at this time is particularly opportune.

Ancient Proverbs and Maxims from Burmese Sources; or the Niti literature of Burma. By James Gray. London: Trübner and Co. 1886.

IN this volume of Trübner's Oriental Series we have a translation of the collections of proverbs and moral precepts severally known as the Lokaniti, the Dhammaniti, the Rajaniti and the Suttavadhaniti.

Of these, the first three are recensions from Sanskrit sources, in the Magadhese dialect, made apparently between the 12th and 14th centuries, and translated at much later dates into the Burmese vernacular, while the fourth is a comparatively recent collection of maxims from the Buddhist canon.

It is possible that the first three collections may have existed in a similar form in India; and there is internal evidence to show that the originals were Brahmanic, or at least Brahmanicised works, and that they have undergone a certain amount of modification to reduce them to conformity with Buddhistic notions.

Mr. Gray appears to have performed his work of translation and annotation with great care and judgment.

The Sacred Books of the East. Edited by Max Müller. Vol. XXVI, XXVII XXVIII. Clarendon Press, Oxford.

VOLUME XXVI of this important series is occupied by Julius Eggeling's translation of the third and fourth books, Satapatha Bhramana. These books form an important

chapter (as the translator informs us) of its dogmatic explanation of the sacrificial ceremonial. This portion of the work treats of the ordinary forms of the most sacred of Vedic sacrificial rites—the Soma Sacrifice. The Soma is the source, and the juice extracted from it—the Holy Service. This is the earthly Soma, or so to speak, the Avatar of the divine Soma. The latter, on the other hand, is a luminous deity; the source of Light and Life.

Wonderfully minute and varied—and in their minuteness and variety, full of poetry and beauty—were the practices and customs which the ancient Hindus connected with consecration and sacrificial worship, and Mr. Eggeling's important work will have a deep interest for Oriental scholars.

Thornton's Gazetteer of India. Edited and revised by Sir Roper Lethbridge and H. N. Wollaston, Esq. W. H. Allen & Co., Waterloo Place. London.

THE latest editions of this important work contains some important modifications of the original publication. Much of the detail is omitted, and only such leading facts and figures are retained, as will suffice for ordinary purposes of reference. These leading facts and figures have been most judiciously selected, and are set forth in such a clear, condensed, and systematic manner, that the value of the book, as a work of reference, has, in our opinion, been enhanced rather than diminished in this new edition.

Satakas of Bhartrihari. Trübner's Oriental Series. Translated from the Sanscrit, by the Rev. Hale Wortham. Trübner & Co. London.

THREE Satakas, or centuries of couplets, are ascribed to Bhartrihari, but only the Nīti and Vairagya Satakas have been translated by Mr. Wortham. The amatory couplets have been omitted by Mr. Wortham, owing to the difficulty of translation, and perhaps for other reasons, and the translator gives us the centuries on polity and ethics and on religious austerity. The centuries are assigned to Bhartrihari, but as Mr. Wortham justly says "beyond traditions, there is no evidence whatever as to the authorship of these Satakas." Whoever the author may have been, he was a wise man in his generation, a close student of human nature, and a keen observer of human history. The Satakas are admirably translated, and they were well worth translation.

The Indian Medical Journal. Edited by Dr. Deakin. New-man and Co., Calcutta.

ALL new journals are started "to supply a want;" but the want supplied by this journal was very obvious and its existence very undeniable. Not only is the want supplied in this publication, but it is supplied in a very thorough and satisfactory manner indeed.

Essays relating to Indo-China. Trübner's Oriental Series. Vols. I and II. Trübner & Co. London.

THIS series consists, for the most part, of reprints from the Indian Repertory, and the Journal of the Asiatic Society of Bengal. It is occupied altogether with a series of most valuable papers: ethnological, philological, zoological, geological, &c., relating to the Malay Peninsula. A most interesting paper, in the second volume, on the geology of Singapore, deserve special attention.

The Indian Antiquary. Bombay Education Press. Trübner & Co., London. Vol. XIV.

THIS is a capital volume of the *Antiquary*. The contents are very varied, and some of them are of great interest; but the place of honor of this volume must, in justice, be assigned to Professor Howorth's deeply interesting series of papers on Ghengis Khan and his ancestors.

VERNACULAR LITERATURE.

Aryandri Gāthā. By Meghnath Bhattacharya, B.A. Printed by Amarnath Chakrabarti at the People's Press, 78 College Street, Calcutta.

IT is really refreshing to turn from the mass of vapid verbosity which the Bengali press is turning out every day under the name of poetry, to the volume before us, in which stories of remarkable Indian women are related in simple and artless verse. The verse employed in this book does not consist of the high-sounding metre of Hem Chandra or Nabin Chandra, and is therefore devoid of grandeur of form. But it is more winning than the verse of Hem Chandra or Nabin Chandra, because it is composed in the plain and homely metre of Kirtibas and Kashidas. We have, indeed, enjoyed the pleasure of reading a book written in the style and spirit of a genuine Bengali, and for this we have to heartily thank Babu Meghnath Bhattacharya.

The stories of the great Indian women—Rajput, Mahratta

and Bengali—related in this book are illustrative of uncommon female virtues. Patriotism, valour, fortitude, fearlessness, self-sacrifice, constancy, benevolence, piety, purity—these are high human virtues, and these virtues appear highest when they are displayed under circumstances of difficulty and danger by members of the softer sex, and especially by those members of the sex who, like the queens and princesses whose tales are told in this volume, are born and brought up in the lap of luxury. In the tales before us, we have examples of these virtues, which are as remarkable in themselves as they are characteristic of the womanhood of India. It is indeed in the wonderful display of these elevated virtues, in the queens and princesses whose adventures are described by our author, that we heartily recommend it to our readers for perusal, as the highest and most precious of all kinds of poetry,—the poetry of life and the poetry of action.

Usha-charit. By Dinanath Dhara. Printed by Munshi Maula Buksh at the Girish Press, Dacca, 1292 B. S.

USHA was a 'poor little child, the author's own son, who died in his fifteenth year. *Usha-charit* is therefore a memoir of a child of fifteen. But a child of fifteen cannot be the subject of a memoir, because a child of fifteen can do little that deserves to be recorded or studied. *Usha-charit* is therefore not a memoir of poor Usha, but of his poorer father Babu Dinanath Dhara. And in this memoir Babu Dinanath's friends will find in it a picture of him which, though drawn by himself, is nevertheless perfectly blameless, and which they will dearly cherish in their heart of hearts as the picture of one of the best and kindest of men. But the book has also some interest for the general public. There are raised in this book, in connection with the sad story of the child Usha, and the sadder story of Usha's unfortunate parents, questions of fate, destiny and providence, which should attract the attention of all thoughtful men, not only on account of the philosophical interest which belongs to them, but also because they have by no means an unimportant bearing upon man's practical life and conduct. The author says that he is not a fatalist, and yet the mournful incidents of his life, have had an effect on his belief and general cast of mind which lead him to talk very much like one that has found something true and tempting in fatalism. Hear what he says at pp. 30 and 31 of his work :—

"Usha was born on a Thursday. The disease, of which

Usha died, also attacked him on a Thursday. I wrote an account of Usha's illness in the form of a diary, and I observed that every relapse that Usha got, came on on a Thursday. Usha fell down a certain number of times on account of weakness a in state of convalescence, and it was every time on a Thursday that he had a fall. Usha came into this world on a Thursday on the first day of the month, and it was on a Thursday on the first day of the month that he also went out of it."

We know not if these coincidences have any meaning. But these are certainly strange coincidences, which, occurring in a depressed state of a man's mind like that of the poor author of this memoir, exercises an influence upon it which invests with it some significance. Graver questions even than the question of these strange coincidences are raised in this work: the question, for instance, of the very existence of God and the exercise of Divine Providence over the affairs of men. Great personal calamities sometimes convert even devout believers into sceptics, and that is why we discern a truly human interest in this story of the really heavy personal bereavements of Babu Dinanath Dhara.

Debatattwa. By Kishorilal Raya. Printed and Published by Matilal Mandul at the Gupta Press, 221, Cornwallis Street, Calcutta, 1885.

A RATIONALISTIC exposition of what is commonly called Hindu Mythology, is attempted in this work. Take one small specimen :—

"It has been said that the goddess Kali sprang out of the goddess Durga's forehead. This means, that as in anger the brows are contracted, so the goddess Kali, who represents Nature's angry aspect, sprang from Durga's brows."

We will not say how far the author's explanation has been reasonable or correct, for it is dangerous to be positive or dogmatic either in attempting a rational explanation of mythology ourselves, or in criticising a rational explanation of it when offered by another person. All that we think it proper and needful to say in connection with this book, is, that the attempt made in it to explain Hindu Mythology upon rational principles is very praiseworthy and extremely opportune in view of the movement for the revival of Hinduism, which is being carried on just now with so much vigour and earnestness by educated Bengalis.

Kanakanjali. By Akshaya Kumar Baral. Printed and Published by Ganesh Chandra Chattopadhyaya at the Bijnan Press, 20 Sukea's Street, Calcutta. Aswin, 1292 B. S.

OUR readers know Babu Akshaya Kumar Baral very favorably as the author of a poetical work entitled *Pradip*, which was noticed in this *Review* some time ago. Babu Akshaya Kumar's new poem fully sustains the reputation he has already acquired as a writer of genuine lyrics in Bengali. In the pieces composing this volume, the sentiment principally described, or given expression to, is love in some form or other, and we are glad to be able to say that in none of the forms in which it enters into these poems does the sentiment appear unattractive or impure. We, however, relished the sentiment most in the form in which it is expressed in the piece called *হিরন্ময়ী*, which we cannot conveniently extract here, and in the form which it wears in the piece called *মাতৃহারা কন্যার হৃদয়কালে*, which we reproduce below :—

হৃদ-চ্যুত হ'য়ে ফুল, উত্তপ্ত পাষাণে পড়ি,
 র'বি আর ক-দিন ঝাঁচিয়া?
 মাহার সাধেতে তুমি ফুটিয়া উঠিয়াছিলে,
 সে যখন গিয়াছে চলিয়া,—
 রাখি তোরে কি ক'রে ধরিয়া।
 মিষ্ট হাসিটি যার, প্রতিবিম্ব হ'য়েছিলে,
 যা তার অধরে ঘুমা গিয়া।
 যেখানে ভরসা আশা, পাঠিয়ে দিয়েছি সব
 হৃদয় ঝাঁখিয়া;
 যে গহ আমার তরে, গড়িতেছে কোন, রাভো,
 জগতের সুখ সাথ ভাজিয়া ভাজিয়া;
 মরু-ভূমে তবে তুমি, যে ক্ষুদ্র লতাটি ছিলে
 ছায়া বিছাইয়া;
 —ঘুমা সেখা গিয়া!

This is deep, sweet and pure; and there are many other pieces which are deep, sweet and pure. But this piece has a clearness which some other pieces have not. Some of the pieces have therefore cost us much effort, and yet we have not been able to thoroughly enter into them. The undefined and intangible form of those pieces has failed to fix our minds in them; we have therefore hovered amongst a variety of forms, images and situations; and we have consequently risen from their perusal often unmoved and sometimes even perplexed. And our disappointment has been all the more painful, because we have

felt in reading those pieces that there is in them some deep, some sweet, some genuine affection of the heart which the indefiniteness of their form has prevented us from perceiving. This indefiniteness prevents us from enjoying much that strikes us as excellent poetry in Bengali. We have heard some very warm admirers of this school of Bengali poetry, of which this indefiniteness is a favorite characteristic, say that the reader can, by means of a little close thought and reflection, pierce through this veil of indefiniteness and see the thing that is in the poet's mind. For ourselves we say that it is very difficult for the reader to do so. A particular situation often affects different people very differently, and if you do not therefore define your situation clearly, the chances are, ten to one, that 99 out of 100 among your readers will not know what that situation is, and must therefore remain more or less unmoved or unaffected by your description of it. You will perhaps say that a careful examination of the different items which enter into your description of the situation ought to enable the reader to make out the exact nature of that situation and thereby to enter fully into your thought and feeling. But the items do not consist of material things like the different parts of a chair or a couch, from which a chair or a couch can be easily inferred or imagined, but of shades and phases of feeling which are really very subtle, and cannot be connected with each other so easily, or with such confidence as the different parts of a chair or a couch. You should also bear in mind that the reader's difficulty in understanding you is increased, not only in consequence of the same thing affecting different people in different ways, but also in consequence of many things affecting men in much the same or similar way. When you, therefore, do not state plainly, or with sufficient clearness, what you mean to describe, your reader must go about trying this and that thing in order to ascertain which will exactly answer to your description. But trials of this kind, we do not hesitate to say, almost always end in a failure, and the result is that you are not thoroughly understood and appreciated. True thought and true feeling suffer nothing by declaring plainly what they are. They also gain nothing, but risk themselves enormously by appearing in disguise or in forms of vapoury vagueness. The poets of the school to which Babu Akshaya Kumar belongs are writing really good poetry, and we should be sorry if so much of what they write should fail to yield pleasure and profit to their countrymen by reason of its vagueness or indefiniteness. We therefore sincerely trust that our reflections on this subject will be taken in a perfectly generous and friendly spirit.

We should also observe that it is not good to introduce

politics or political feeling into lyric poetry, as is done in the following verse of Akshaya Kumar:—

ভিতর ছলিয়া বাবে, বাহিরে তেমনি রব,

কি করিয়া হই?

ইংরেজ রাজত্ব মত, উপরে চাক্‌চাক্য মাখ,

মাঝে শূনা-ময়!

This is anything but poetry, and the reason is, that this is poetry degraded into politics.

Babu Akshaya Kumar possesses the true poetic vein, and his work contains much true poetry. If we have spoken more of the faults than of the merits of his poetry, it is because we feel proud of him as a young Bengali poet, and therefore desire to see his poetry become more perfect. His merits are already too well known and appreciated to require laudation from us.
